FEDERAL
COMMUNICATIONS
COMMISSION

Rules and Regulations

VOLUME VI · OCTOBER 1966

Part 95—Citizens Radio Service.

Part 97—Amateur Radio Service.

Part 99—Disaster Communications Service.

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

TRANSMITTAL SHEET NO. VI(66)-1

TO

VOLUME VI OF RULES AND REGULATIONS
OCTOBER 1966 EDITION

On the new pages, identified with the transmittal sheet number, the new or amended section, or subsection, is followed by a statement of the effective date of the amendment. The nature of the change may be determined by comparing the old and new texts.

The attached substitute pages include the following actions:

Date of adoption	*Effective date*	*FCC Document No.*	*Docket No.*	*Federal Register Date and Citation*
10–5–66	11–15–66	66–891	16106	10–13–66, 31 F.R. 13230
Section affected: 99.29.				
11–30–66	1– 9–67	66–1084	13847	12–10–66, 31 F.R. 15577
Sections affected: 95.45, 95.49(c) and 95.51 Headnote and (b), (c), (d) and (e).				
12–6–66	12–15–66	#91973	----	12–9–66, 31 F.R. 15543
Section affected: 97.9(a), (c), (d), (e), and (f).				
12–7–66	12–16–66	66–1114	16744	12–14–66, 31 F.R. 15744
Section affected: 95.95(d).				
12–21–66	12–30–66	#92761	----	12–28–66, 31 F.R. 16567
Section affected: Appendix 1, Part 97 (Butte, Mont.).				

INSTRUCTIONS

Remove the following pages	*Insert the attached pages*
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15–16	15 through 16–A
21–22	21 through 22–A
29–30	29 through 30–A
55	55
65–66	65–66

File this Transmittal Sheet at the front of the Volume. It will provide a reference authority for changes, a method of determining that all amendments have been received, and a check for determining if the volume contains the proper pages.

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TRANSMITTAL SHEET NO. VI(66)-2

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2-8-67	3-20-67	67-168	16591	2-15-67, 32 F.R. 2888
Sections affected: 95.15(c), 97.41(c) and 99.11(g).				
2-8-67	2-17-67	67-178	-----	2-15-67, 32 F.R. 2892
Section affected: 95.41(c).				
4-12-67	4-21-67	67-429	-----	4-19-67, 32 F.R. 6143
Section affected: 97.35(b).				

INSTRUCTIONS

Remove the following pages	*Insert the attached pages*
11 through 14	11 through 14-A
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5–17–67	5–17–67	67–586	13847	5–23–67, 32 F.R. 7531
Section affected: 95.51(c).				
8–24–67	11–22–67	67–978	15928	9–1–67, 32 F.R. 12682
Sections affected: 97.7, 97.9(b), 97.21, 97.23, 97.25(c), 97.29(a), 97.31(b), 97.33, 97.51 (a)(5) and 97.59 (a) and (b).				
8–24–67	9–1–67	67–979	----------	8–30–67, 32 F.R. 12560
Sections affected: 97.139, 97.141 and 97.143 Deleted.				
ERRATA	--------	#5192	15928	9–22–67, 32 F.R. 13377
Section affected: 97.51(a)(5).				

INSTRUCTIONS

Remove the following pages	*Insert the attached pages*
15–16	15–16
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*4-17-68	7-1-68	68-414	———	4-25-68, 33 F.R. 6295
Section affected: 97.61(b)(1), (2), & (3).				
5-8-68	6-17-68	68-500	17989	5-15-68, 33 F.R. 7153
Sections affected: 97.28; 97.29(a) & (b)(1) Note; and 97.35(a).				
ERRATA	3-18-68	#16545	13847	5-25-68, 33 F.R. 7724
Section affected: 95.41(a)(1) & (a)(2)(iii).				
*7-17-68	8-30-68	68-725	17736	7-26-68, 33 F.R. 10641
Sections affected: 97.61 97.65(c), (d), (e), & (f).				

NOTE: Supersedes the first action listed.

INSTRUCTIONS

Remove the following pages	*Insert the attached pages*
13 through 14-A	13 through 14-A
27-28	27-28
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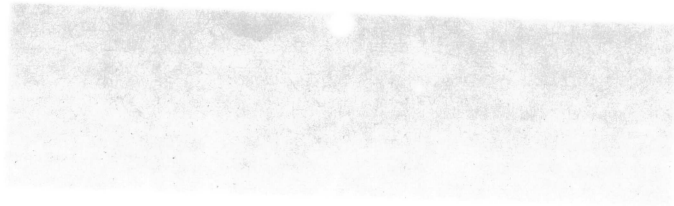

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Introduction

Volume VI of the Federal Communications Commission's Rules and Regulations contains all the rules for Citizens Radio Service, Amateur Radio Service, and Disaster Communications Service. This edition is a revision of the January 1964 issue and includes all amendments adopted by the Commission through September 30, 1966. Subsequent changes will be issued as substitute pages to the Volume.

When this Volume is amended, each amended section or subsection will be followed by a statement of the effective date of the amendment. The number of the transmittal sheet covering the substitute pages will appear in the lower corner of each page. Substitute pages incorporating amendments to these rules will be mailed by the Superintendent of Documents, without request, to all purchasers of the Volume.

This Volume supersedes the edition of January 1964, and no further amendments to that edition will be issued.

Information regarding fees for filing applications in the Safety and Special Radio Services may be found on pages 3 and 4.

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Mailing addresses for Commission Field Offices are listed below. Street addresses can be found in local directories under "United States Government."

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Notice

The FCC Rules and Regulations are grouped into ten volumes and sold in volume units by the Superintendent of Documents, Government Printing Office. The price of the volume entitles the purchaser to receive its amended pages for an indefinite period.

The ten volumes are comprised of individual Parts, as follows:

VOLUME I

Part 0, Commission Organization.

Part 1, Practice and Procedure.

Part 13, Commercial Radio Operators.

Part 17, Construction, Marking, and Lighting of Antenna Structures.

Part 19, Employee Responsibilities and Conduct.

VOLUME II

Part 2, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations.

Part 5, Experimental Radio Services (Other Than Broadcast).

Part 15, Radio Frequency Devices.

Part 18, Industrial, Scientific, and Medical Equipment.

VOLUME III

Part 73, Radio Broadcast Services.

Part 74, Experimental, Auxiliary, and Special Broadcast Services.

VOLUME IV

Part 81, Stations on Land in the Maritime Services.

Part 83, Stations on Shipboard in the Maritime Services.

Part 85, Public Fixed Stations and Stations of the Maritime Services in Alaska.

VOLUME V

Part 87, Aviation Services.

Part 89, Public Safety Radio Services.

Part 91, Industrial Radio Services.

Part 93, Land Transportation Radio Services.

VOLUME VI

Part 95, Citizens Radio Service.

Part 97, Amateur Radio Service.

Part 99, Disaster Communications Service.

VOLUME VII

Part 21, Domestic Public Radio Services (Other Than Maritime Mobile).

Part 23, International Fixed Public Radiocommunication Services.

Part 25, Satellite Communications.

VOLUME VIII

Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies.

Part 33, Uniform System of Accounts for Class C Telephone Companies.

VOLUME IX (*Printing postponed indefinitely*)

Part 34, Uniform System of Accounts for Radiotelegraph Carriers.

Part 35, Uniform System of Accounts for Wire-Telegraph and Ocean-Cable Carriers.

VOLUME X

Part 41, Telegraph and Telephone Franks.

Part 42, Preservation of Records of Communication Common Carriers.

Part 43, Reports of Communication Common Carriers and Certain Affiliates.

Part 51, Occupational Classification and Compensation of Employees of Telephone Companies.

Part 52, Classification of Wire-Telegraph Employees.

Part 61, Tariffs.

Part 62, Application to Hold Interlocking Directorates.

Part 63, Extension of Lines and Discontinuance of Service by Carriers.

Part 64, Miscellaneous Rules Relating to Common Carriers.

Part 66, Applications Relating to Consolidation, Acquisition, or Control of Telephone Companies.

INFORMATION REGARDING FEES FOR FILING APPLICATIONS IN THE SAFETY AND SPECIAL RADIO SERVICES

The following rules concerning fees and the fee schedule for filing applications in the Safety and Special Radio Services are extracted from Part 1 of the Commission's Rules for the convenience of the users of this volume:

SUBPART G—SCHEDULE OF FEES FOR APPLICATIONS FILED WITH THE COMMISSION

GENERAL INFORMATION

§ 1.1101 Authority.

Authority for this Subpart is contained in Title V of the Independent Offices Appropriation Act of 1952 (5 U.S.C. 140) which provides that any service rendered by a Federal agency to or for any person shall be performed on a self-sustaining basis to the fullest extent possible. Title V further provides that the head of each Federal agency is authorized by regulation to prescribe such fees as he shall determine to be fair and equitable.

§ 1.1103 Payment of fees.

(a) Each application, filed on or after January 1, 1964, for which a fee is prescribed in this subpart, must be accompanied by a remittance in the full amount of the fee. In no case will an application be accepted for filing or processed prior to payment of the full amount specified. Applications for which no remittance is received, or for which an insufficient amount is received, may be returned to the applicant.

(b) Fee payments accompanying applications received in the Commission's Offices in Washington, D.C., or in any of the Commission's field offices, should be in the form of a check or money order payable to the Federal Communications Commission. The Commission will not be responsible for cash sent through the mails. All fees collected will be paid into the United States Treasury as miscellaneous receipts in accordance with the provisions of Title V of the Independent Offices Appropriations Act of 1952 (5 U.S.C. 140).

(c) Receipts will be furnished upon request in the case of payments made in person, but no receipts will be issued for payments sent through the mails.

(d) Except as provided in §§ 1.1104 and 1.1105, all fees will be charged irrespective of the Commission's disposition of the application. Applications returned to applicants for additional information or corrections will not require an additional fee when resubmitted.

§ 1.1104 Return or refund of fees.

(a) The full amount of any fee submitted will be returned or refunded, as appropriate, in the following instances:

(1) Where no fee is required for the application filed.

(2) Where the application is filed by an applicant who cannot fulfill a prescribed age requirement.

(3) Where the application is filed for renewal without reexamination of an amateur or commercial radio operator license after the grace period has expired.

(4) Where the applicant is precluded from obtaining a license by the provisions of section 303(1) or 310(a) of the Communications Act.

(5) Where circumstances beyond the control of the applicant, arising after the application is filed, would render a grant useless.

(b) Payments in excess of an applicable fee will be refunded only if the overpayment exceeds $2.

§ 1.1105 General exceptions.

(a) No fee is required for an application filed for the sole purpose of amending an authorization or pending application (if a fee is otherwise required) so as to comply with new or additional requirements of the Commission's rules or the rules of another Federal government agency affecting the authorization or pending application; however, if the applicant also requests an additional modification or the renewal of his authorization, the appropriate modification or renewal fee must accompany the application. Fee exemptions arising out of this general exception will be announced to the public in the orders amending the rules or in other appropriate Commission notices.

(b) No fee is required for an application filed by an alien pursuant to a reciprocal radio licensing agreement.

(c) No fee is required for any application or request for an STA or waiver.

§ 1.1115 Schedule of fees for Safety and Special Radio Services.

(a) Except as provided in paragraph (b) of this section, all formal applications filed in the Safety and Special Radio Services shall be accompanied by the fees prescribed below:

Applications in the Amateur Radio Service:	
For initial license, including new class of operator license, and for renewal of license	$4
For modification of license	2
Request for special call sign pursuant to § 97.51	20
Applications in the Citizens Radio Service:	
For Class A Station authorization	10
For all other classes of stations in the Citizens Radio Service	8
Applications for Radio Station Authorizations for Operational Fixed Radio Stations for which Frequencies above 952 Mc/s are requested:	
For construction permit	30
For modification of authorization	10
Applications for Common Carrier Public Coast Stations in the Maritime Radio Services:	
For initial construction permit	50
For modification of authorization	10
Applications for Renewal only for which FCC Form 405–A or 405–B is prescribed	4
All other applications filed in the Safety and Special Radio Services	10

(b) Fees are not required in the following instances:

(1) Applications filed in the Police, Fire, Forestry-Conservation, Highway Maintenance, Local Government, and State Guard Radio Services.

(2) Applications filed by governmental entities in any of the Safety and Special Radio Services.

(3) Applications filed by the following in the Special Emergency Radio Service: Hospitals, Disaster Relief Organizations, Beach Patrols, and School Buses, and non-profit Ambulance Operators and Rescue Organizations.

(4) Applications filed in the Disaster Communications Service.

(5) Applications for ship inspections pursuant to the Great Lakes Agreement, the Safety of Life at Sea Convention, and Parts II and III, Title III, of the Communications Act of 1934, as amended.

(6) Applications for Novice Class license in the Amateur Radio Service, applications for amateur stations under military auspices, and applications filed in the Radio Amateur Civil Emergency Service (RACES).

(7) Operational Fixed Microwave Applications filed for Closed Circuit Educational Television Service.

(8) Applications for Civil Air Patrol Stations, Aeronautical Radionavigation Stations and for Aeronautical Search and Rescue Stations.

(9) Applications for license to cover construction permit.

RULES AND REGULATIONS

Part 95 | *Citizens Radio Service*

OCTOBER 1966

FEDERAL COMMUNICATIONS COMMISSION

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95.119 Control points, dispatch points, and remote control.
95.121 Civil defense communications.

AUTHORITY: §§ 95.1 to 95.121 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. Sub-chap. I, III–VI.

SUBPART A—GENERAL

§ 95.1 Basis and purpose.

The rules and regulations set forth in this part are issued pursuant to the provisions of Title III of the Communications Act of 1934, as amended, which vests authority in the Federal Communications Commission to regulate radio transmissions and to issue licenses for radio stations. These rules are designed to provide for private short-distance radiocommunications service for the business or personal activities of licensees, for radio signaling, for the control of remote objects or devices by means of radio; all to the extent that these uses are not specifically prohibited in this part. They also provide for procedures whereby manufacturers of radio equipment to be used or operated in the Citizens Radio Service may obtain type acceptance and/or type approval of such equipment as may be appropriate.

§ 95.3 Definitions.

For the purpose of this part, the following definitions shall be applicable. For other definitions, refer to Part 2 of this chapter.

(a) Definitions of services.

Citizens Radio Service. A radiocommunications service of fixed, land, and mobile stations intended for short-distance personal or business radiocommunications, radio signaling, and control of remote objects or devices by radio; all to the extent that these uses are not specifically prohibited in this part.

Fixed service. A service of radiocommunication between specified fixed points.

Mobile service. A service of radiocommunication between mobile and land stations or between mobile stations.

(b) Definitions of stations.

Base station. A land station in the land mobile service carrying on a service with land mobile stations.

Class A station. A station in the Citizens Radio Service licensed to be operated on an assigned frequency in the 460–470 Mc/s band and with input power of 60 watts or less.

Class B station. A station in the Citizens Radio Service licensed to be operated on an authorized frequency in the 460–470 Mc/s band and with input power of 5 watts or less.

Class C station. A station in the Citizens Radio Service licensed to be operated on an authorized frequency in the 26.96–27.23 Mc/s band, or on the frequency 27.255 Mc/s, for the control of remote objects or devices by radio, or for the remote actuation of devices which are used solely as a means of attracting attention, or on an authorized frequency in the 72–76 Mc/s band for the control of model aircraft only.

Class D station. A station in the Citizens Radio Service licensed to be operated on an authorized frequency in the 26.96–27.23 Mc/s band or on the frequency 27.255 Mc/s, with input power of 5 watts or less, and for radiotelephony only.

Fixed station. A station in the fixed service.

Land station. A station in the mobile service not intended for operation while in motion. (Of the various types of land stations, only the base station is pertinent to this part.)

Mobile station. A station in the mobile service intended to be used while in motion or during halts at unspecified points. (For the purposes of this part, the term includes hand-carried and pack-carried units.)

(c) Miscellaneous definitions.

Antenna structure. The term "antenna structure" includes the radiating system, its supporting structures, and any surmounting appurtenances.

Assigned frequency. The frequency appearing on a station authorization from which the carrier frequency may deviate by an amount not to exceed that permitted by the frequency tolerance.

Authorized bandwidth. The maximum width of the band of frequencies, as specified in the authorization, to be occupied by an emission.

Bandwidth occupied by an emission. The band of frequencies comprising 99 percent of the total radiated power extended to include any discrete frequency on which the power is at least 0.25% of the total radiated power.

Control point. A control point is an operating position which is under the control and supervision of the licensee, at which a person immediately responsible for the proper operation of the transmitter is stationed, and at which adequate means are available to aurally monitor all transmissions and to render the transmitter inoperative.

Dispatch point. A dispatch point is any position from which messages may be transmitted under the supervision of the person at a control point.

Harmful interference. Any emission, radiation or induction which endangers the functioning of a radionavigation service or other safety service or seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with applicable laws, treaties, and regulations.

Landing area. A landing area means any locality, either of land or water, including airports and intermediate landing fields, which is used or approved for use for the landing and take-off of aircraft, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo.

Man-made structure. Any construction other than a tower, mast or pole.

Person. The term "person" includes an individual, partnership, association, joint-stock company, trust or corporation.

Remote control. The term "remote control" when applied to the use or operation of a citizens radio station means control of the transmitting equipment of that station from any place other than the location of the transmitting equipment, except that direct mechanical control or direct electrical control by wired connections of transmitting equipment from some other

point on the same premises, craft or vehicle shall not be considered to be remote control.

Station authorization. Any construction permit, license, or special temporary authorization issued by the Commission.

§ 95.5 Policy governing the assignment of frequencies.

(a) The frequencies which may be assigned to Class A stations in the Citizens Radio Service, and the frequencies which are available for use by Class B, Class C, or Class D stations, are listed in Subpart C of this part. Each frequency available for assignment to, or use by, stations in this service is available on a shared basis only, and will not be assigned for the exclusive use of any one applicant; however, the use of a particular frequency may be restricted to (or in) one or more specified geographical areas.

(b) In no case will more than one frequency be assigned to Class A stations for the use of a single applicant in any given area until it has been demonstrated conclusively to the Commission that the assignment of an additional frequency is essential to the operation proposed.

(c) All applicants and licensees in this service shall cooperate in the selection and use of the frequencies assigned or authorized, in order to minimize interference and thereby obtain the most effective use of the authorized facilities.

(d) Simultaneous operation on more than one frequency in the 72–76 Mc/s band by a transmitter or transmitters of a single licensee is prohibited whenever such operation will cause harmful interference to the operation of other licensees in this service.

§ 95.6 Types of operation authorized.

(a) Class A stations may be authorized as mobile stations, as base stations, as fixed stations, or as base or fixed stations to be operated at unspecified or temporary locations.

(b) Class B, Class C, and Class D stations are authorized as mobile stations only; however, they may be operated at fixed locations in accordance with other provisions of this part.

§ 95.7 General citizenship restrictions.

A station license may not be granted to or held by:

(a) Any alien or the representative of any alien;

(b) Any foreign government or the representative thereof;

(c) Any corporation organized under the laws of any foreign government;

(d) Any corporation of which any officer or director is an alien;

(e) Any corporation of which more than one-fifth of the capital stock is owned of record or voted by: Aliens or their representatives; a foreign government or representative thereof; or any corporation organized under the laws of a foreign country;

(f) Any corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, if the Commission finds that the public interest will be served by the refusal or revocation of such license; or

(g) Any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by: Aliens or their representatives; a foreign government or representatives thereof; or any corporation organized under the laws of a foreign government, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

SUBPART B—APPLICATIONS AND LICENSES

§ 95.11 Station authorization required.

No radio station shall be operated in the Citizens Radio Service except under and in accordance with an authorization granted by the Federal Communications Commission.

§ 95.13 Eligibility for station license.

(a) Subject to the general restrictions of § 95.7, any person, other than an unincorporated association in the case of a Class D station, is eligible to hold an authorization to operate a station in the Citizens Radio Service: *Provided*, That if an applicant for a Class A, Class B or Class D station authorization is an individual or partnership, such individual or each partner is eighteen or more years of age; or if an applicant for a Class C station authorization is an individual or partnership, such individual or each partner is twelve or more years of age.

NOTE: While the basis of eligibility in this service includes any state, territorial, or local governmental entity, or any agency operating by the authority of such governmental entity, including any duly authorized state, territorial, or local civil defense agency, it should be noted that the frequencies available to stations in this service are shared without distinction between all licensees and that no protection is afforded to the communications of any station in this service from interference which may be caused by the authorized operation of other licensed stations.

(b) Notwithstanding the provisions of paragraph (a) of this section, an unincorporated association may be authorized to operate a Class D station in this service upon a showing satisfactory to the Commission that the proposed radio operations are not feasible, or may not be as efficient or economical, when conducted under station licenses issued to the individual members. A station license shall not be issued to an unincorporated association solely to avoid the operating restrictions on communications between stations licensed to different persons, contained elsewhere in this part. Unincorporated associations which hold Class D station licenses in this service as of November 1, 1964, must make the showing required by this paragraph upon application for renewal and/or modification of license. An unincorporated association, when licensed under

the provisions of this paragraph, may upon specific prior approval of the Commission provide radiocommunications for its members.

(c) No person shall hold more than one Class B, one Class C, and one Class D station license.

§ 95.15 Filing of applications.

(a) To assure that necessary information is supplied in a consistent manner by all persons, standard forms are prescribed for use in connection with the majority of applications and reports submitted for Commission consideration. Standard numbered forms applicable to the Citizens Radio Service are discussed in § 95.19 and may be obtained from the Washington, D.C., 20554, office of the Commission, or from any of its engineering field offices.

(b) All formal applications for Class B, Class C, or Class D new, modified, or renewal station authorizations shall be submitted to the Commission's office at 334 York Street, Gettysburg, Pa., 17325. Applications for Class A station authorizations, applications for consent to transfer of control of a corporation holding any citizens radio station authorization, requests for special temporary authority or other special requests, and correspondence relating to an application for any class citizens radio station authorization shall be submitted to the Commission's Office at Washington, D.C., 20554, and should be directed to the attention of the Secretary. Applications involving Class C or Class D station equipment which is neither type approved nor crystal controlled, whether of commercial or home construction, shall be accompanied by supplemental data describing in detail the design and construction of the transmitter and methods employed in testing it to determine compliance with the technical requirements set forth in Subpart C of this part.

(c) Unless otherwise specified, an application shall be filed at least 60 days prior to the date on which it is desired that Commission action thereon be completed. In any case where the applicant has made timely and sufficient application for renewal of license, in accordance with the Commission's rules, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(d) Failure on the part of the applicant to provide all the information required by the application form, or to supply the necessary exhibits or supplementary statements may constitute a defect in the application.

(e) Applicants proposing to construct a radio station on a site located on land under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

[*§ 95.15(e) adopted eff. 3-20-67; VI(66)-2*]

§ 95.17 Who may sign applications.

(a) Except as provided in paragraph (b) of this section, applications, amendments thereto, and related statements of fact required by the Commission shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association. Applications, amendments, and related statements of fact filed on behalf of eligible government entities, such as states and territories of the United States and political subdivisions thereof, the District of Columbia, and units of local government, including incorporated municipalities, shall be signed by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction.

(b) Applications, amendments thereto, and related statements of fact required by the Commission may be signed by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

(c) Only the original of applications, amendments, or related statements of fact need be signed; copies may be conformed.

(d) Applications, amendments, and related statements of fact need not be signed under oath. Willful false statements made therein, however, are punishable by fine and imprisonment, U.S. Code, Title 18, section 1001, and by appropriate administrative sanctions, including revocation of station license pursuant to section 312(a)(1) of the Communications Act of 1934, as amended.

§ 95.19 Standard forms to be used.

(a) *FCC Form 505, Application for Class B, C, or D Station License in the Citizens Radio Service.* This form shall be used when:

(1) Application is made for a new Class B, Class C, or Class D station authorization for any required number of transmitters to be operated as a group in a single radiocommunication system in a particular area. A separate application shall be submitted for each proposed class of station.

(2) Application is made for modification of any existing Class B, Class C, or Class D station authorization in those cases where prior Commission approval of certain changes is required (see § 95.35).

(3) Application is made for renewal of an existing Class B, Class C, or Class D station authorization, or for reinstatement of such an expired authorization.

(b) *FCC Form 400, Application for Radio Station Authorization in the Safety and Special Radio Services.* This form shall be used when:

(1) Application is made for a new Class A base station or fixed station authorization. Separate applications shall be submitted for each proposed base or fixed station at different fixed locations; however, all equipment intended to be operated at a single fixed location is considered to be one station which may, if necessary, be classed as both a base station and a fixed station.

(2) Application is made for a new Class A station authorization for any required number of mobile units (including hand-carried and pack-carried units) to be operated as a group in a single radiocommunication system in a particular area. An application for Class A mobile station authorization may be combined with the application for a single Class A base station authorization when such mobile units are to be operated with that base station only.

(3) Application is made for station license of any Class A base station or fixed station upon completion of construction or installation in accordance with the terms and conditions set forth in any construction permit required to be issued for that station, or application for extension of time within which to construct such a station.

(4) Application is made for modification of any existing Class A station authorization in those cases where prior Commission approval of certain changes is required (see § 95.35).

(5) Application is made for renewal of an existing Class A station authorization, or for reinstatement of such an expired authorization.

(6) [Reserved]

(7) Application is made for an authorization for a new Class A base or fixed station to be operated at unspecified or temporary locations. When one or more individual transmitters are each intended to be operated as a base station or as a fixed station at unspecified or temporary locations for indeterminate periods, such transmitters may be considered to comprise a single station intended to be operated at temporary locations. The application shall specify the general geographic area within which the operation will be confined. Sufficient data must be submitted to show the need for the proposed area of operation.

(c) *FCC Form 703, Application for Consent to Transfer of Control of Corporation Holding Construction Permit or Station License.* This form shall be used when application is made for consent to transfer control of a corporation holding any citizens radio station authorization.

§ 95.25 Amendment or dismissal of application.

(a) Any application may be amended upon request of the applicant as a matter of right prior to the time the application is granted or designated for hearing. Each amendment to an application shall be signed and submitted in the same manner and with the same number of copies as required for the original application.

(b) Any application may, upon written request signed by the applicant or his attorney, be dismissed without prejudice as a matter of right prior to the time the application is granted or designated for hearing.

§ 95.27 Transfer of license prohibited.

A station authorization in the Citizens Radio Service may not be transferred or assigned. In lieu of such transfer or assignment, an application for new station authorization shall be filed in each case, and the previous authorization shall be forwarded to the Commission for cancellation.

§ 95.29 Defective applications.

(a) If an applicant is requested by the Commission to file any documents or information not included in the

prescribed application form, a failure to comply with such request will constitute a defect in the application.

(b) When an application is considered to be incomplete or defective, such application will be returned to the applicant, unless the Commission may otherwise direct. The reason for return of the applications will be indicated, and if appropriate, necessary additions or corrections will be suggested.

§ 95.31 Partial grant.

Where the Commission, without a hearing, grants an application in part, or with any privileges, terms, or conditions other than those requested, the action of the Commission shall be considered as a grant of such application unless the applicant shall, within 30 days from the date on which such grant is made, or from its effective date if a later date is specified, file with the Commission a written rejection of the grant as made. Upon receipt of such rejection, the Commission will vacate its original action upon the application and, if appropriate, set the application for hearing.

§ 95.33 License period.

Unless otherwise stated in the authorization, licenses for all stations in the Citizens Radio Service will normally be issued for a term of 5 years from the date of original issuance, renewal, or modification.

§ 95.35 Changes in authorized stations.

Authority for certain changes in authorized stations must be obtained from the Commission before the changes are made, while other changes do not require prior Commission approval. The following paragraphs of this section describe the conditions under which prior Commission approval is or is not necessary.

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modification of license be submitted to the Commission. Application for modification shall be submitted in the same manner as an application for a new station license, and the licensee shall forward his existing authorization to the Commission for cancellation immediately upon receipt of the superseding authorization. Any of the following changes to authorized stations may be made only upon approval by the Commission:

(1) Increase the overall number of transmitters authorized.

(2) Change the presently authorized location of a Class A fixed or base station or control point.

(3) Move, change the height of, or erect a Class A station antenna structure of the type which requires prior approval from the Commission as set forth in § 95.37.

(4) Make any change in the type of emission or any increase in bandwidth of emission or power of a Class A station.

(5) Addition or deletion of control point(s) for an authorized transmitter of a Class A station.

(6) Change or increase the area of operation of a Class A mobile station or a Class A base or fixed station authorized to be operated at temporary locations.

(7) Change the operating frequency of a Class A station.

(b) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address of the licensee is changed (without changing the authorized location of the base or fixed Class A station) a formal application for modification of the license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, and the call signs and classes of all radio stations authorized to the licensee under this part. The notice concerning Class B, C, or D radio stations shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be maintained with the records of the station. The notice concerning Class A stations shall be sent to (1) Secretary, Federal Communications Commission, Washington, D.C., 20554, and (2) to Engineer in Charge of the Radio District in which the station is located, and a copy shall be maintained with the license of the station until a new license is issued.

(c) Proposed changes which will not depart from any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is the substitution of various makes of transmitting equipment at any station, provided that the particular equipment to be installed is included in the Commission's "Radio Equipment List, Part C" and is listed as acceptable for use under this part or, in the case of a Class C or Class D station using crystal control on authorized frequencies in the 26.96–27.26 Mc/s band, the substitute equipment is crystal controlled; and further provided the substitute equipment employs the same type of emission and does not exceed the frequency tolerance and power limitation prescribed for the particular class of station involved.

§ 95.37 Limitations on antenna structures.

(a) No new antenna or antenna structures shall be erected for use by any Class A station licensed, or proposed to be licensed, in this service, and no change shall be made in any existing antenna or antenna structure used, or intended to be used, by any Class A station licensed, or proposed to be licensed, in this service so as to increase its overall height above ground level, without prior approval from the Commission in any case when either:

(1) The antenna structures proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on top of an existing man-made structure, other than an antenna structure, and does not increase the overall height of such man-made structure by more than 20 feet; or

(2) The antenna structures proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance or fraction thereof from the nearest boundary of such landing area except where the antenna does not exceed 20 feet above the ground or where the height of the antenna is mounted on top of an existing man-made structure, other than an antenna structure, or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet. Application for Commission approval, if required, shall be submitted on FCC Form 400.

(b) [Reserved]

(c) A Class B, Class C or Class D station operated at a fixed location shall employ a transmitting antenna which complies with at least one of the following:

(1) The antenna and its supporting structure does not exceed 20 feet in height above ground level; or

(2) The antenna and its supporting structure does not exceed by more than 20 feet the height of any natural formation, tree or man-made structure on which it is mounted; or

(3) The antenna is mounted on the transmitting antenna structure of another authorized radio station and does not exceed the height of the antenna supporting structure of the other station; or

(4) The antenna is mounted on and does not exceed the height of an antenna structure otherwise used solely for receiving purposes, which structure itself complies with subparagraph (1) or (2) of this paragraph.

NOTE: A man-made structure is any construction other than a tower, mast or pole.

(d) Class C stations operated on frequencies in the 72–76 Mc/s band shall employ a transmitting antenna which complies with all of the following:

(1) The gain of the antenna shall not exceed that of a half-wave dipole;

(2) The antenna shall be immediately attached to, and an integral part of, the transmitter; and

(3) Only vertical polarization shall be used.

SUBPART C—TECHNICAL REGULATIONS

§ 95.41 Frequencies available.

(a) Frequencies available for assignment to Class A stations:

(1) The following frequencies or frequency pairs are available primarily for assignment to base and mobile stations. They may also be assigned to fixed stations located 100 or more miles (75 miles if the transmitter power output does not exceed 15 watts) from the center of any urbanized area of 200,000 or more population; or to fixed stations which are used to control base stations and are located less than 100 miles from an urbanized area of 200,000 or more population provided the fixed station operates on the frequency assigned to the mobile units of the system and the radiated signal, measured at the antenna terminals of the base station receiver, is not more than 6 db stronger than that of a mobile unit of the system operating from the location of the fixed station. To make this measurement the mobile station may be moved no more than one-quarter mile away from the location of the fixed (control) station if necessary to provide a satisfactory signal at the base station receiver. An engineering statement attesting to compliance with this signal level limitation shall accompany each such fixed station application. All fixed stations must employ directional antennas having a front-to-back ratio of at least 15 db. The centers of urbanized areas of 200,000 or more population are listed on page 226 of the Appendix to the U.S. Department of Commerce publication "Air Line Distance Between Cities in the United States."

Base and Mobile (*Mc/s*)	*Mobile Only* (*Mc/s*)
462.550	467.550
462.575 [1]	467.575 [1]
462.600	467.600
462.625 [1]	467.625 [1]
462.650	467.650
462.675 [1]	467.675 [1]
462.700	467.700
462.725 [1]	467.725 [1]

[1] This frequency is not available for use prior to June 1, 1968.

(2) Conditions governing the operation of stations authorized prior to March 18, 1968:

(i) All base and mobile stations authorized to operate on frequencies other than those listed in subparagraph (1) of this paragraph may continue to operate on those frequencies only until January 1, 1970.

(ii) Fixed stations located 100 or more miles from the center of any urbanized area of 200,000 or more population authorized to operate on frequencies other than those listed in subparagraph (1) of this paragraph will not have to change frequencies provided no interference is caused to the operation of stations in the land mobile service.

(iii) Fixed stations, other than those used to control base stations, located less than 100 miles (75 miles if the transmitter power output does not exceed 15 watts) from the center of any urbanized area of 200,000 or more population must discontinue operation by November 1, 1971. However, any operation after January 1, 1970, must be on frequencies listed in subparagraph (1) of this paragraph.

(iv) Fixed stations, located less than 100 miles from the center of any urbanized area of 200,000 or more

population, which are used to control base stations and are authorized to operate on frequencies other than those listed in subparagraph (1) of this paragraph may continue to operate on those frequencies only until January 1, 1970.

(v) All fixed stations must comply with the applicable technical requirements of subparagraph (1) relating to antennas and radiated signal strength of this paragraph by November 1, 1971.

(vi) Notwithstanding the provisions of subdivisions (i) through (v) of this subparagraph, all stations authorized to operate on frequencies between 465.000 and 465.500 Mc/s and located within 75 miles of the center of the 20 largest urbanized areas of the United States, may continue to operate on these frequencies only until January 1, 1969. An extension to continue operation on such frequencies until January 1, 1970, may be granted to such station licensees on a case by case basis if the Commission finds that continued operation would not be inconsistent with planned usage of the particular frequency for police purposes. The 20 largest urbanized areas can be found in the U.S. Census of Population, 1960, vol. 1, table 23, page 50. The centers of urbanized areas are determined from the appendix, page 226, of the U.S. Commerce publication, "Air Line Distance Between Cities in the United States."

(b) Effective March 18, 1968, frequencies will no longer be available to Class B stations for new or modified facilities. However, existing Class B stations may, upon renewal, continue to operate until November 1, 1971.

(c) Class C mobile stations may employ only amplitude tone modulation or on-off keying of the unmodulated carrier, on a shared basis with other stations in the Citizens Radio Service on the frequencies and under the conditions specified in the following tables:

(1) For the control of remote objects or devices by radio, or for the remote actuation of devices which are used solely as a means of attracting attention and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band, the following frequencies are available:

Mc/s	*Mc/s*	*Mc/s*
26.995	27.095	27.195
27.045	27.145	[1] 27.255

[1] The frequency 27.255 Mc/s also is shared with stations in other services.

(2) Solely for the radio control of model aircraft and subject to the conditions (i) that interference will not be caused to the remote control of industrial equipment operating on the same or adjacent frequencies and to the reception of television transmissions on channels 4 or 5 and (ii) that no protection will be afforded from interference due to the operation of fixed and mobile stations in other services assigned to the same or adjacent frequencies in the band, the following frequencies are available.

Mc/s	*Mc/s*	*Mc/s*
72.08	72.40	75.64
72.24	72.96	

(d) The frequencies listed in the following tables are available for use by Class D mobile stations employing radiotelephony only, on a shared basis with other stations in the Citizens Radio Service, and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band.

(1) The following frequencies, commonly known as channels 1 through 23, may be used for communications between units of the same station:

Mc/s	*Mc/s*	*Mc/s*	*Mc/s*
26.965	27.035	27.115	27.185
26.975	27.055	27.125	27.205
26.985	27.065	27.135	27.215
27.005	27.075	27.155	27.225
27.015	27.085	27.165	[1] 27.255
27.025	27.105	27.175	

[1] The frequency 27.255 Mc/s is also shared with stations in other services.

(2) Only the following frequencies may be used for communication between units of different stations:

Mc/s	*Channel*	*Mc/s*	*Channel*
27.065	9	27.115	13
27.075	10	27.125	14
27.085	11	27.255	23
27.105	12		

(e) Upon specific request accompanying application for renewal of station authorization, a Class A station in this service, which was authorized to operate on a frequency in the 460–461 Mc/s band until March 31, 1967, may be assigned that frequency for continued use until not later than March 31, 1968, subject to all other provisions of this part.

[§ 95.41(a)(2)(vi) *added eff. 12–9–68; VI(66)–6*]

§ 95.43 Station power.

Neither the average power input to the plate or collector circuit or circuits which contribute radio frequency energy to the radiating system nor the average radio frequency power supplied to the radiat-

ing system of a station operating in this service shall exceed the following maximum values:

Class of station	Power input (average watts) [2]	Power output (average watts) [3]
A	60	48
B	5	4
C [1]	5	4
D	5	4

[1] On 27.255 Mc/s the average power permitted for Class C stations shall not exceed 30 watts input and 24 watts output. On frequencies in the 72–76 Mc/s band the average power for Class C stations shall not exceed 1 watt input and 0.75 watt output.

[2] For the purpose of this section, power measurement shall be made during maximum peaks of modulation using meters having a full scale accuracy of 2 percent or better and having a maximum time constant of not more than 0.25 of a second. Where the average unmodulated carrier power is increased by modulation applied to the circuit or circuits which contribute radio frequency energy to the radiating system, the sum of the unmodulated carrier power input and the average power output of the modulator shall not exceed the values specified in this table by more than 25 percent.

[3] Power output shall be measured at the transmitter.

§ 95.45 Frequency tolerance.

The carrier frequency of a station in this service shall be maintained within the following percentage of the authorized frequency:

Class of station	Maximum authorized power input	Frequency tolerance	
		Fixed and base	Mobile
A	3 watts or less	[1] 0.00025	[1] 0.0005
A	Over 3 watts	[1] .00025	[1] .0005
B	3 watts or less		.5
B	Over 3 watts		.3
C	5 watts or less [2]		.005
C	Over 5 watts (27.255 Mc/s only)		.005
D	5 watts or less		.005

[1] Effective Nov. 1, 1967. Stations authorized before Nov. 1, 1967, may continue to operate with tolerance of 0.001 percent, or .005 for mobile stations, with 3 watts or less power until Nov. 1, 1971.

[2] Class C stations operating on authorized frequencies between 26.99 and 27.26 Mc/s with 3 watts or less power input which are used solely for the control of remote objects or devices by radio (other than devices used solely as a means of attracting attention) are permitted a frequency tolerance of 0.01 percent.

[§ 95.45 amended eff. 1-9-67; VI(66)-1]

§ 95.47 Types of emission.

(a) Except as provided in paragraph (e) of this section, Class A stations in this service will normally be authorized to transmit radiotelephony only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention is prohibited.

(b) Class B stations in this service are authorized to use amplitude or frequency modulation, or on-off unmodulated carrier, and may be used for radiotelephony, to control remote objects or devices by means of radio, or to remotely actuate devices which are used as a means of attracting attention.

(c) Class C stations in this service are authorized to use amplitude tone modulation or on-off unmodulated carrier only, for the control of remote objects or devices by radio or for the remote actuation of devices which are used solely as a means of attracting attention. The transmission of any form of telegraphy, telephony or record communications by a Class C station is prohibited. Telemetering, except for the transmission of simple, short duration signals indicating the presence or absence of a condition or the occurrence of an event, is also prohibited.

(d) Class D stations in this service are authorized to use amplitude voice modulation, including single sideband and/or reduced or suppressed carrier, for radiotelephone communications only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention or for the control of remote objects or devices is prohibited.

(e) Other types of emission not described in paragraph (a) of this section may be authorized for Class A citizens radio stations upon a showing of need therefor. An application requesting such authorization shall fully describe the emission desired, shall indicate the bandwidth required for satisfactory communication, and shall state the purpose for which such emission is required. For information regarding the classification of emissions and the calculation of bandwidth, reference should be made to Part 2 of this chapter.

§ 95.49 Emission limitations.

(a) Each authorization issued to a Class A citizens radio station will show, as a prefix to the classification of the authorized emission, a figure specifying the maximum bandwidth to be occupied by the emission.

(b) All operation of a Class B citizens radio station (including tolerance and bandwidth occupied by the emission) shall be confined to the frequency band 462.525–467.475 Mc/s.

(c)(1) Except as provided in subparagraph (2) of this paragraph and except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the maximum authorized bandwidth of the emission of any station employing amplitude modulation (Type A2 or A3 emission) shall be 8 kc/s and the maximum authorized bandwidth of the emission of any station employing frequency or phase modulation (Type F2 or F3 emission) shall be 40 kc/s. The use of Type F2 or F3 emission in the frequency band 26.96–27.28 Mc/s is not authorized.

(2) Effective November 1, 1967, the maximum authorized bandwidth of Class A stations employing frequency or phase modulation (Type F2 or F3 emission) will be 20 kc/s. Class A stations authorized before November 1, 1967, may continue to operate with maximum 40 kc/s bandwidth until November 1, 1971.

(d) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: At least 25 decibels;

(2) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels;

(3) On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth, at least the amounts indicated in the following table:

Maximum authorized power input to final radio frequency stage:	*Attenuation (db)*
Over 3 watts	50
3 watts or less	[1] 40

[1] In the case of Class B stations having a maximum power input to the final radio frequency stage of 3 watts or less, any emission appearing on any frequency within a band allocated to industrial, scientific, and medical equipment under the provisions of Part 2 of this chapter shall be attenuated at least 30 db.

(e) When an unauthorized emission results in harmful interference, the Commission may, in its discretion, require appropriate technical changes in equipment to alleviate the interference.

[*§ 95.49(c) amended eff. 1-9-67; VI(66)-1*]

§ 95.51 Modulation requirements.

(a) When the radio frequency carrier of a station in this service is amplitude modulated, such modulation shall not exceed 100 percent on positive or negative peaks.

(b) Except as provided in paragraph (c) of this section and except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the frequency deviation of any frequency modulated transmitter operated in this service shall not exceed ±15 kc/s and the simultaneous amplitude modulation and frequency or phase modulation of a transmitter is not authorized.

(c) Effective June 1, 1968, the maximum frequency deviation for Class A stations employing F2 or F3 emission is ±5 kc/s: *Provided*, That stations authorized prior to November 1, 1967, located 100 miles or more from the center of urbanized areas of 200,000 or more population may continue to operate with a frequency deviation of ±15 kc/s until November 1, 1971.

(d) Class A stations authorized on or after November 1, 1967, shall be provided with a device which automatically will prevent modulation in excess of that specified in this subpart which may be caused by greater than normal audio level. Class A stations authorized before November 1, 1967, will be required to comply with the provisions of this paragraph by November 1, 1971: *Provided, however*, That the requirements of this paragraph shall not apply to transmitters authorized to operate as mobile stations with a maximum plate power input to the final radio frequency stage of 3 watts or less.

(e) Each transmitter of a Class A station which is equipped with a modulation limiter in accordance with the provisions of paragraph (d) of this section shall also be equipped with an audio low-pass filter. This audio low-pass filter shall be installed between the modulation limiter and the modulated stage and, at audio frequencies between 3 kc/s and 20 kc/s, shall have an attenuation greater than the attenuation at 1 kc/s by at least:

$$60 \log_{10} (f/3) \text{ decibels}$$

where "f" is the audiofrequency in kc/s. At audio frequencies above 20 kc/s, the attenuation shall be at least 50 decibels greater than the attenuation at 1 kc/s.

[*§ 95.51(c) amended eff. 3-18-68; VI(66)-4*]

§ 95.53 Compliance with technical requirements.

(a) Upon receipt of notification from the Commission of a deviation from the technical requirements of the rules in this part, the radiations of the transmitter involved shall be suspended immediately, except for necessary tests and adjustments, and shall not be resumed until such deviation has been corrected.

(b) When any citizens radio station licensee receives a notice of violation indicating that the station has been operated contrary to any of the provisions contained in Subpart C of this part, or where it otherwise appears that operation of a station in this service

may not be in accordance with applicable technical standards, the Commission may require the licensee to conduct such tests as may be necessary to determine whether the equipment is capable of meeting these standards and to make such adjustments as may be necessary to assure compliance therewith. A licensee who is notified that he is required to conduct such tests and/or make adjustments must, within the time limit specified in the notice, report to the Commission the results thereof.

(c) All tests and adjustments which may be required in accordance with paragraph (b) of this section shall be made by, or under the immediate supervision of, a person holding a first- or second-class commercial operator license, either radiotelephone or radio telegraph as may be appropriate for the type of emission employed. In each case, the report which is submitted to the Commission shall be signed by the licensed commercial operator. Such report shall describe the results of the tests and adjustments, the test equipment and procedures used, and shall state the type, class, and serial number of the operator's license. A copy of this report shall also be kept with the station records.

§ 95.55 Acceptability of transmitters for licensing.

(a) Except as provided in § 95.69, transmitters authorized for operation at Class B stations, and noncrystal controlled transmitters authorized for operation at Class C and Class D stations in the band 26.96–27.26 Mc/s under this part shall be type approved by the Commission.

(b) Transmitters authorized for operation under this part at Class A stations, and at Class C stations in the band 72–76 Mc/s, shall be type accepted by the Commission.

(c) Type approved and type accepted transmitters for use under this part are included in the Commission's Radio Equipment List, Part C. Copies of this list are available for public reference at the Commission's Washington, D.C., offices and field offices.

§ 95.57 Type acceptance of equipment.

(a) Any manufacturer of a transmitter to be built for use in this service, except Class B station equipment and noncrystal controlled Class C and Class D equipment for operation in the band 26.96–27.26 Mc/s, may request type acceptance for such equipment by following the type acceptance procedure set forth in Subpart F of Part 2 of this chapter.

(b) Type acceptance for an individual transmitter may also be requested by an applicant for a station authorization by following the type acceptance procedures set forth in Part 2 of this chapter. Such transmitters, if accepted, will not normally be included on the Commission's "Radio Equipment List, Part C", but will be individually enumerated on the station authorization.

(c) Additional rules with respect to type acceptance are set forth in Part 2 of this chapter. These rules include information with respect to withdrawal of type acceptance, modification of type-accepted equipment, and limitations on the findings upon which type acceptance is based.

§ 95.59 Submission of Class B and non-crystal controlled Class C or Class D station equipment for type approval.

(a) Manufacturers of equipment capable of being used or operated in this service may submit units of such equipment to the Commission for type approval, upon grant of request therefor made in writing by the manufacturer to the Secretary of the Commission. Such a request normally will not be granted unless at least 100 units of the model to be submitted are scheduled for manufacture. When advised by the Commission, the applicant must send a typical production model or prototype of the particular equipment complete with tubes and power supply to the Commission's laboratory at Laurel, Maryland, for tests. All instructions which are intended to be supplied to the purchaser of the equipment shall be included. Transportation of the equipment and associated documents to and from the laboratory shall be at no cost to the Government.

(b) Prior to approval or rejection of the equipment the results of these tests will be made known only to the responsible Government officials and to the Commission. An official report of the tests will be made available only to the manufacturer involved; however, the Commission will publish from time to time lists of approved equipment.

(c) The prescribed tests may be conducted by the Federal Communications Commission or by any other cooperating Government department. In addition, field tests, as deemed necessary or desirable by the

Commission, may be carried out by authorized Government personnel to determine the reliability of the equipment under operating conditions comparable to those expected to be encountered in actual service.

(d) Type-approval is not required for Class C or Class D station equipment employing crystal control; however, the manufacturer of a crystal-controlled transmitter to be built for use at a Class C or Class D station may request "type-acceptance" for such transmitter in accordance with the provisions of § 95.57. The licensee of a Class C or Class D station utilizing crystal-controlled equipment may be required to certify that the frequency stability of the transmitter is within the tolerance specified elsewhere in this part.

§ 95.61 Type approval of receiver-transmitter combinations.

Type approval will not be issued for transmitting equipment for operation under this part when such equipment is enclosed in the same cabinet, is constructed on the same chassis in whole or in part, or is identified with a common type or model number with a radio receiver, unless such receiver has been certificated to the Commission as complying with the requirements of Part 15 of this chapter.

§ 95.63 Minimum equipment specifications.

Equipment submitted for type approval in this service shall be capable of meeting the technical specifications contained in this part for Class B, Class C, or Class D stations, and, in addition, shall comply with the following:

(a) Any basic instructions concerning the proper adjustment, use, or operation of the equipment that may be necessary shall be attached to the equipment in a suitable manner and in such positions as to be easily read by the operator.

(b) A durable nameplate shall be mounted on each transmitter showing the name of the manufacturer, the type or model designation, and providing suitable space for permanently displaying the transmitter serial number, FCC type approval number, and the class of station for which approved.

(c) The transmitter shall be designed, constructed, and adjusted by the manufacturer to operate on a frequency or frequencies available to the class of station for which type approval is sought. In designing the equipment, every reasonable precaution shall be taken to protect the user from high voltage shock and radio frequency burns. Connections to batteries (if used) shall be made in such a manner as to permit replacement by the user without causing improper operation of the transmitter. Generally accepted modern engineering principles shall be utilized in the generation of radio frequency currents so as to guard against unnecessary interference to other services. In cases of harmful interference arising from the design, construction, or operation of the equipment, the Commission may require appropriate technical changes in equipment to alleviate interference.

(d) Controls which may effect changes in the carrier frequency of the transmitter shall not be accessible from the exterior of any unit unless such accessibility is specifically approved by the Commission.

§ 95.65 Test procedure.

Type approval tests to determine whether radio equipment meets the technical specifications contained in this part will be conducted under the following conditions:

(a) Gradual ambient temperature variations from 0° to 125° F.

(b) Relative ambient humidity from 20 to 95 percent. This test will normally consist of subjecting the equipment for at least three consecutive periods of 24 hours each, to a relative ambient humidity of 20, 60, and 95 percent, respectively, at a temperature of approximately 80° F.

(c) Movement of transmitter or objects in the immediate vicinity thereof.

(d) Power supply voltage variations normally to be encountered under actual operating conditions.

(e) Additional tests as may be prescribed, if considered necessary or desirable.

§ 95.67 Certificate of type approval.

A certificate or notice of type approval, when issued to the manufacturer of equipment intended to be used or operated in the Citizens Radio Service, constitutes a recognition that on the basis of the test made, the particular type of equipment appears to have the capability of functioning in accordance with the technical specifications and regulations contained in this part: *Provided*, That all such additional equipment of the same type is properly constructed, maintained, and operated: *And provided further*, That no change whatsoever is made in the design or construction of such equipment except upon specific approval by the Commission.

§ 95.69 Acceptance of composite equipment.

(a) Class B and non-crystal controlled Class C or Class D station equipment constructed by a manufacturer in lots of less than 100 units will not, in the usual case, be tested by the Commission for the purpose of granting type approval. Except as provided in paragraph (b) of this section, an applicant in this service who proposes to use or operate composite or other equipment which has not been type approved shall supply complete information showing that the equipment fully complies with appropriate station requirements using supplementary sheets which shall accompany the standard application form. The Commission may, at its discretion, require that such equipment or a prototype thereof be made available to its laboratory at Laurel, Maryland, for testing in accordance with the procedures described elsewhere in this part, as applicable to equipment to be manufactured in lots of more than 100 units. In addition, field tests as deemed necessary or desirable may be carried out by authorized Government personnel to determine the reliability of the equipment under

operating conditions comparable to those encountered in actual service.

(b) In the case of crystal controlled Class C or Class D equipment to be operated on an authorized frequency in the band 26.96–27.26 Mc/s, supplemental technical information is not required to accompany the standard application form: *Provided, however,* That it is clearly indicated that the equipment employs crystal control: *And provided further,* That the Commission may require the applicant to certify that the frequency stability of the crystal-controlled transmitter is within the tolerance specified elsewhere in this part.

(c) In the case of nontype accepted Class C equipment to be operated on an authorized frequency in the band 72–76 Mc/s, the information and measurement data required under Subpart F of Part 2 of this chapter for type acceptance, shall, if not on file with the Commission, accompany the application for station license.

SUBPART D—STATION OPERATING REQUIREMENTS

§ 95.83 Prohibited uses.

(a) A Citizens radio station shall not be used:

(1) For engaging in radio communications as a hobby or diversion, i.e., operating the radio station as an activity in and of itself.

NOTE: The following are typical, but not all inclusive, examples of the types of communications evidencing a use of Citizens radio as a hobby or diversion which are prohibited under this rule:

"You want to give me your handle and I'll ship you out a card the first thing in the morning;" or "Give me your 10–20 so I can ship you some wallpaper." (Communications to other licensees for the purpose of exchanging so-called "QSL" cards.)

"I'm just checking to see who is on the air."

"Just calling to see if you can hear me. I'm at Main and Broadway."

"Just heard your call sign and thought I'd like to get acquainted;" or "Just passing through and heard your call sign so I thought I'd give you a shout."

"Just sitting here copying the mail and thought I'd give you a call to see how you were doing." (Referring to an intent to communicate based solely on hearing another person engaged in the use of his radio.)

"My 10–20 is Main and Broad Streets. Thought I'd call so I can see how well this new rig is getting out."

"Got a new mike on this rig and thought I'd give you a call to find out how my modulation is."

"Just thought I would give you a shout and let you know I am still around. Thanks for coming back."

"Clear with Venezuela. Just thought I'd let you know I was copying you up here."

"Thought I'd give you a shout and see if you knew where the unmodulated carrier was coming from."

"Just thought I'd give you a call to find out how the skip is coming in over at your location."

"Go ahead breaker. What kind of a rig are you using? Come back with your 10–20."

(2) For any purpose, or in connection with any activity, which is contrary to Federal, State, or local law.

(3) For the transmission of communications containing obscene, indecent, or profane words, language, or meaning.

(4) To carry communications for hire, whether the remuneration or benefit received is direct or indirect.

(5) To communicate with stations authorized or operated under the provisions of other parts of this chapter, with unlicensed stations, or with U.S. Government or foreign stations, except for communications pursuant to §§ 95.85(b) and 95.121 and, in the case of Class A stations, for communications with U.S. Government stations in those cases which require cooperation or coordination of activities.

(6) For any communication not directed to specific stations or persons, except for: (i) Emergency and civil defense communications as provided in §§ 95.85 (b) and 95.121, respectively, (ii) test transmissions pursuant to § 95.93, and (iii) communications from a mobile unit to other units or stations for the sole purpose of requesting routing directions, assistance to disabled vehicles or vessels, information concerning the availability of food or lodging, or any other assistance necessary to a licensee in transit.

(7) To convey program material for retransmission, live or delayed, on a broadcast facility.

NOTE: A Class A, Class B, or Class D station may be used in connection with the administrative, engineering, or maintenance activities of a broadcasting station; a Class A, Class B, or Class C station may be used for control functions by radio which do not involve the transmission of program material; and a Class A, Class B, or Class D station may be used in the gathering of news items or preparation of programs: *Provided,* That the actual or recorded transmissions of the Citizens radio station are not broadcast at any time in whole or in part.

(8) To interfere maliciously with the communications of another station.

(9) For the direct transmission of any material to the public through public address systems or similar means.

(10) To transmit superfluous communications, i.e., any transmissions which are not necessary to communications which are permissible.

(11) For the transmission of music, whistling, sound effects, or any material for amusement or entertainment purposes, or solely to attract attention.

(12) To transmit the word "MAYDAY" or other international distress signals, except when a ship, aircraft, or other vehicle is threatened by grave and imminent danger and requests immediate assistance.

(13) For transmitting communications to stations of other licensees which relate to the technical performance, capabilities, or testing of any transmitter or other radio equipment, including transmissions concerning the signal strength or frequency stability of a transmitter, except as necessary to establish or maintain the specific communication.

(14) For relaying messages or transmitting communications for a person other than the licensee or members of his immediate family, except: (i) Com-

munications transmitted pursuant to §§ 95.85(b), 95.87 (b)(7), and 95.121; and, (ii) upon specific prior Commission approval, communications between citizens radio stations at fixed locations where public telephone service is not provided.

(15) For advertising or soliciting the sale of any goods or services.

(16) For transmitting messages in other than plain language. Abbreviations, including nationally or internationally recognized operating signals, may be used only if a list of all such abbreviations and their meaning is kept in the station records and made available to any Commission representative on demand.

(b) A Class D station may not be used to communicate with, or attempt to communicate with, any unit of the same or another station over a distance of more than 150 miles.

(c) A licensee of a Citizens radio station who is engaged in the business of selling Citizens radio transmitting equipment shall not allow a customer to operate under his station license. In addition, all communications by the licensee for the purpose of demonstrating such equipment shall consist only of brief messages addressed to other units of the same station.

§ 95.85 Emergency use.

(a) All Citizens radio stations shall give priority to the emergency communications of other stations which involve the immediate safety of life of individuals or the immediate protection of property.

(b) Any station in this service may be utilized during an emergency involving the immediate safety of life or the immediate protection of property for the transmission of emergency communications. When so used, certain provisions in this part concerning use of frequencies (§ 95.41(d)); prohibited uses (§ 95.83(a) (5) and (6)); operation by or on behalf of persons other than the licensee (§ 95.87); and duration of transmissions (§ 95.91 (a) and (b)) shall not apply. However, any emergency use which necessitates taking advantage of these exceptions to usual requirements shall be subject to the following conditions:

(1) As soon as possible after the beginning of such emergency use, notice shall be sent to the Commission in Washington, D.C., and to the Engineer in Charge of the radio district in which the station is located, stating the nature of the emergency and the use to which the station is being put.

(2) The emergency use of the station shall be discontinued as soon as possible, and the Commission in Washington, D.C., and the Engineer in Charge shall be notified immediately when such special use of the station is terminated. If the emergency use is of less than 24-hour duration, a single notice containing all of the required information will serve to comply with the notice requirements of this paragraph.

(3) The Commission may at any time order discontinuance of such special use of the authorized facilities.

§ 95.87 Operation by, or on behalf of, persons other than the licensee.

(a) Transmitters authorized in this service must be under the control of the licensee at all times. A licensee shall not transfer, assign, or dispose of, in any manner, directly or indirectly, the operating authority under his station license, and shall be responsible for the proper operation of all units of the station.

(b) Citizens radio stations may be operated only by the following persons, except as provided in paragraph (c) of this section:

(1) The licensee;

(2) Members of the licensee's immediate family living in the same household;

(3) The partners, if the licensee is a partnership, provided the communications relate to the business of the partnership;

(4) The members, if the licensee is an unincorporated association, provided the communications relate to the business of the association;

(5) Employees of the licensee only while acting within the scope of their employment;

(6) Any person under the control or supervision of the licensee when the station is used solely for the control of remote objects or devices, other than devices used only as a means of attracting attention; and

(7) Other persons, upon specific prior approval of the Commission shown on or attached to the station license, under the following circumstances:

(i) Licensee is a corporation and proposes to provide private radiocommunication facilities for the transmission of messages or signals by or on behalf of its parent corporation, another subsidiary of the parent corporation, or its own subsidiary. Any remuneration or compensation received by the licensee for the use of the radiocommunication facilities shall be governed by a contract entered into by the parties concerned and the total of the compensation shall not exceed the cost of providing the facilities. Records which show the cost of service and its nonprofit or cost-sharing basis shall be maintained by the licensee.

(ii) Licensee proposes the shared or cooperative use of a Class A station with one or more other licensees in this service for the purpose of communicating on a regular basis with units of their respective Class A stations, or with units of other Class A stations if the communications transmitted are otherwise permissible. The use of these private radiocommunication facilities shall be conducted pursuant to a written contract which shall provide that contributions to capital and operating expense shall be made on a nonprofit, cost-sharing basis, the cost to be divided on an equitable basis among all parties to the agreement. Records which show the cost of service and its nonprofit, cost-sharing basis shall be maintained by the licensee. In any case, however, licensee must show a separate and independent need for the particular units proposed to be shared to fulfill his own communications requirements.

(iii) Other cases where there is a need for other persons to operate a unit of licensee's radio station. Requests for authority may be made either at the time of the filing of the application for station license or thereafter by letter. In either case, the licensee must show the nature of the proposed use and that it relates to an activity of the licensee, how he proposes to maintain control over the transmitters at all times, and why it is not appropriate for such other person to obtain a station license in his own name. The authority, if granted, may be specific with respect to the names of the persons who are permitted to operate, or may authorize operation by unnamed persons for specific purposes. This authority may be revoked by the Commission, in its discretion, at any time.

(c) An individual who was formerly a citizens radio station licensee shall not be permitted to operate any citizens radio station of the same class licensed to another person until such time as he again has been issued a valid radio station license of that class, when his license has been:

(1) Revoked by the Commission.

(2) Surrendered for cancellation after the institution of revocation proceedings by the Commission.

(3) Surrendered for cancellation after a notice of apparent liability to forfeiture has been served by the Commission.

§ 95.89 Telephone answering services.

(a) Notwithstanding the provisions of § 95.87, a licensee may install a transmitting unit of his station on the premises of a telephone answering service. The same unit may not be operated under the authorization of more than one licensee. In all cases, the licensee must enter into a written agreement with the answering service. This agreement must be kept with the licensee's station records and must provide, as a minimum, that:

(1) The licensee will have control over the operation of the radio unit at all times;

(2) The licensee will have full and unrestricted access to the transmitter to enable him to carry out his responsibilities under his license;

(3) Both parties understand that the licensee is fully responsible for the proper operation of the citizens radio station; and

(4) The unit so furnished shall be used only for the transmission of communications to other units belonging to the licensee's station.

(b) A citizens radio station licensed to a telephone answering service shall not be used to relay messages or transmit signals to its customers.

§ 95.91 Duration of transmissions.

(a) All communications or signals, regardless of their nature, shall be restricted to the minimum practicable transmission time. The radiation of energy shall be limited to transmissions modulated or keyed for actual permissible communications, tests, or control signals. Continuous or uninterrupted transmissions from a single station or between a number of communicating stations is prohibited, except for communications involving the immediate safety of life or property.

(b) Communications between or among Class D stations shall not exceed 5 consecutive minutes. At the conclusion of this 5-minute period, or upon termination of the exchange if less than 5 minutes, the station transmitting and the stations participating in the exchange shall remain silent for a period of at least 5 minutes and monitor the frequency or frequencies involved before any further transmissions are made. However, for the limited purpose of acknowledging receipt of a call, such a station or stations may answer a calling station and request that it stand by for the duration of the silent period. The time limitations contained in this paragraph may not be avoided by changing the operating frequency of the station and shall apply to all the transmissions of an operator who, under other provisions of this part, may operate a unit of more than one citizens radio station.

(c) The transmission of audible tone signals or a sequence of tone signals for the operation of the tone operated squelch or selective calling circuits in accordance with § 95.47 shall not exceed a total of 15 seconds duration. Continuous transmission of a subaudible tone for this purpose is permitted. For the purposes of this section, any tone or combination of tones having no frequency above 150 cycles per second shall be considered subaudible.

(d) The transmission of permissible control signals shall be limited to the minimum practicable time necessary to accomplish the desired control or actuation of remote objects or devices. The continuous radiation of energy for periods exceeding 3 minutes duration for the purpose of transmission of control signals shall be limited to control functions requiring at least one or more changes during each minute of such transmission. However, while it is actually being used to control model aircraft in flight by means of interrupted tone modulation of its carrier, a citizens radio station may transmit a continuous carrier without being simultaneously modulated if the presence or absence of the carrier also performs a control function. An exception to the limitations contained in this paragraph may be authorized upon a satisfactory showing that a continuous control signal is required to perform a control function which is necessary to insure the safety of life or property.

§ 95.93 Tests and adjustments.

All tests or adjustments of citizens radio transmitting equipment involving an external connection to the radio frequency output circuit shall be made using a nonradiating dummy antenna. However, a brief test signal, either with or without modulation, as appropriate, may be transmitted when it is necessary to adjust a transmitter to an antenna for a new station installation or for an existing installation involving a change of antenna or change of transmitters, or when

necessary for the detection, measurement, and suppression of harmonic or other spurious radiation. Test transmissions using a radiating antenna shall not exceed a total of 1 minute during any 5-minute period, shall not interfere with communications already in progress on the operating frequency, and shall be properly identified as required by § 95.95, but may otherwise be unmodulated as appropriate.

§ 95.95 Station identification.

(a) The serial number on each citizens radio station license is the call sign assigned to such station. Except in the case of Class A stations having call signs in the international series, there shall be no continuity in the call sign assigned to a particular station, and a new call sign will be assigned on renewal or modification.

(b) Each transmission of the station call sign shall be made in the English language by each unit, shall be complete, and each letter and digit shall be separately and distinctly transmitted. Only standard phonetic alphabets, nationally or internationally recognized, may be used in lieu of pronunciation of letters for voice transmission of call signs. A unit designator or special identification may be used in addition to the station call sign but not as a substitute therefor.

(c) Except as provided in paragraph (d) of this section, all transmissions from each unit of a citizens radio station shall be identified by the transmission of its assigned call sign at the beginning and end of each transmission or series of transmissions directed to or exchanged with a unit of the same station or units of other stations. Each required identification shall include not only the call sign of the station unit transmitting, but also the call sign of the station or stations with which the transmitting unit is communicating, or attempting to communicate. In the case of communications between units of the same station (intrastation), after identifying itself by its assigned call sign, the transmitting unit may identify the other units by unit designators. For communications between units of different stations (interstation), the complete sign of all stations involved must be transmitted. If the call sign of the station being called is not known, the name or trade name may be used, but when contact has been made the called station shall thereafter be identified by its call sign. Examples of proper identification procedure are set forth at the end of this paragraph. Where transmissions or exchanges of transmissions of greater length are permitted by this part, the identification shall also be transmitted at least every 15 minutes. Each transmission or exchange of transmissions conducted on different frequencies shall be fully and separately identified in accordance with the foregoing on each frequency used.

EXAMPLES OF PROPER IDENTIFICATION

Intrastation communications:

(1) Calling: "KZZ 0001 base, calling unit 2."
Response: "KZZ 0001 unit 2, to base, over."
Clearing: "KZZ 0001 base, clear with unit 2" and "KZZ 0001 unit 2, clear with base."

(2) Calling: "KZZ 0001 unit 1, calling unit 3."
Response: "KZZ 0001 unit 3, to unit 1, over."
Clearing: "KZZ 0001 unit 1, clear with unit 3" and "KZZ 0001 unit 3, clear with unit 1."

Interstation communications:

Calling: "KZZ 0001 calling KZZ 0002," or "KZZ 0001 calling KZZ 0002 unit 3" (if appropriate).
Response: "KZZ 0002 to KZZ 0001, over."
Clearing: "KZZ 0001 clear with KZZ 0002," and "KZZ 0002 clear with KZZ 0001."

(d) Unless specifically required by the station authorization, the transmissions of a citizens radio station need not be identified when the station (1) is a Class A station which automatically retransmits the information received by radio from another station which is properly identified or (2) is not being used for telephony emission.

[*§ 95.95(d) amended eff. 12–16–66; VI(66)–1*]

§ 95.97 Operator license requirements.

(a) No operator license is required for the operation of a citizens radio station except that stations man-

ually transmitting Morse Code shall be operated by the holders of a third or higher class radiotelegraph operator license.

(b) Except as provided in paragraph (c) of this section, all transmitter adjustments or tests while radiating energy during or coincident with the construction, installation, servicing, or maintenance of a radio station in this service, which may affect the proper operation of such stations, shall be made by or under the immediate supervision and responsibility of a person holding a first- or second-class commercial radio operator license, either radiotelephone or radio telegraph, as may be appropriate for the type of emission employed, and such person shall be responsible for the proper functioning of the station equipment at the conclusion of such adjustments or tests. Further, in any case where a transmitter adjustment which may affect the proper operation of the transmitter has been made while not radiating energy by a person not the holder of the required commercial radio operator license or not under the supervision of such licensed operator, other than the factory assembling or repair of equipment, the transmitter shall be checked for compliance with the technical requirements of the rules by a commercial radio operator of the proper grade before it is placed on the air.

(c) Except as provided in § 95.53 and in paragraph (d) of this section, no commercial radio operator license is required to be held by the person performing transmitter adjustments or tests during or coincident with the construction, installation, servicing, or maintenance of Class C or Class D stations in this service: *Provided*, That there is compliance with all of the following conditions:

(1) The transmitting equipment shall be crystal-controlled with a crystal capable of maintaining the station frequency within the prescribed tolerance;

(2) The transmitting equipment either shall have been factory assembled or shall have been provided in kit form by a manufacturer who provided all components together with full and detailed instructions for their assembly by nonfactory personnel;

(3) The frequency determining elements of the transmitter, including the crystal(s) and all other components of the crystal oscillator circuit, shall have been preassembled by the manufacturer, pretuned to a specific available frequency, and sealed by the manufacturer so that replacement of any component or any adjustment which might cause off-frequency operation cannot be made without breaking such seal and thereby voiding the certification of the manufacturer required by this paragraph;

(4) The transmitting equipment shall have been so designed that none of the transmitter adjustments or tests normally performed during or coincident with the installation, servicing, or maintenance of the station, or during the normal rendition of the service of the station, or during the final assembly of kits or partially preassembled units, may reasonably be expected to result in off-frequency operation, excessive input power, overmodulation, or excessive harmonics or other spurious emissions; and

(5) The manufacturer of the transmitting equipment or of the kit from which the transmitting equipment is assembled shall have certified in writing to the purchaser of the equipment (and to the Commission upon request) that the equipment has been designed, manufactured, and furnished in accordance with the specifications contained in the foregoing subparagraphs of this paragraph. The manufacturer's certification concerning design and construction features of Class C or Class D station transmitting equipment, as required if the provisions of this paragraph are invoked, may be specific as to a particular unit of transmitting equipment or general as to a group or model of such equipment, and may be in any form adequate to assure the purchaser of the equipment or the Commission that the conditions described in this paragraph have been fulfilled.

(d) Any tests and adjustments necessary to correct any deviation of a transmitter of any Class of station in this service from the technical requirements of the rules in this part shall be made by, or under the immediate supervision of, a person holding a first- or second-class commercial operator license, either radiotelephone or radiotelegraph, as may be appropriate for the type of emission employed.

§ 95.101 Posting station licenses and transmitter identification cards or plates.

(a) The current authorization for each station (including units of a Class B, Class C or Class D station) operated at a fixed location shall be posted at a conspicuous place at the principal fixed location from which such station is controlled, and a photocopy of such authorization shall be posted at all other fixed locations from which the station is controlled. In addition, an executed Transmitter Identification Card (FCC Form 452–C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each transmitter operated at a fixed location when such transmitter is not in view of, or is not readily accessible to, the operator of at least one of the locations at which the station authorization or a photocopy thereof is required to be posted.

(b) The current authorization for each station operated as a mobile station shall be retained as a permanent part of the station records, but need not be posted. In addition, an executed Transmitter Identification Card (FCC Form 452–C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each of such transmitters: *Provided,* That, if the transmitter is not in view of the location from which it is controlled, or is not readily accessible for inspection, then such card or plate shall be affixed to the control equipment at the transmitter operating position or posted adjacent thereto.

§ 95.103 Inspection of stations and station records.

All stations and records of stations in the Citizens Radio Service shall be made available for inspection upon the request of an authorized representative of the Commission made to the licensee or to his representative (see § 1.6 of this chapter). Unless otherwise stated in this part, all required station records shall be maintained for a period of at least 1 year.

§ 95.105 Current copy of rules required.

Each licensee in this service shall maintain as a part of his station records a current copy of Part 95, Citizens Radio Service, of this chapter.

§ 95.107 Inspection and maintenance of tower marking and associated control equipment.

The licensee of any radio station which has an antenna structure required to be painted or illuminated pursuant to the provisions of section 303(q) of the Communications Act of 1934, as amended, and/or Part 17 of this chapter shall operate and maintain the tower marking and associated control equipment in accordance with the following paragraphs of this section.

(a) The tower lights shall be observed at least once each 24 hours, either visually or by observing an automatic and properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly as required; or, alternatively, there shall be provided and properly maintained an automatic alarm system designed to detect any failure of the tower lights and to provide indication of such failure to the licensee.

(b) Any observed or otherwise known failure of a code or rotating beacon light or top light not corrected within 30 minutes, regardless of the cause of such failure, shall be reported immediately by telephone or telegraph to the nearest Air Traffic Communications Station or office of the Federal Aviation Agency. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

(c) All automatic or mechanical control devices, indicators, and alarm systems associated with the tower lights shall be inspected at intervals not to exceed 3 months, to insure that such apparatus is functioning properly.

(d) All lighting shall be exhibited from sunset to sunrise unless otherwise specified in the instrument of station authorization.

(e) A sufficient supply of spare lamps shall be maintained for immediate replacement purposes at all times.

(f) All towers shall be cleaned or repainted as often as is necessary to maintain good visibility.

§ 95.111 Recording of tower light inspections.

When a station in this service has an antenna structure which is required to be illuminated, appropriate entries shall be made in the station records, as follows:

(a) The time the tower lights are turned on and off each day, if manually controlled.

(b) The time the daily check of proper operation of the tower lights was made.

(c) In the event of any observed or otherwise known failure of a tower light:

(1) Nature of such failure.

(2) Date and time the failure was observed or otherwise noted.

(3) Date, time, and nature of the adjustments, repairs, or replacements made.

(4) Identification of the Air Traffic Communications Station (or office of the Federal Aviation Agency) notified of the failure of any code or rotating beacon light not corrected within 30 minutes, and the date and time such notice was given.

(5) Date and time notice was given to the Air Traffic Communications Station (or office of the Federal Aviation Agency) that the required illumination was resumed.

(d) Upon completion of the 3-month periodic inspection required by § 95.107(c):

(1) The date of the inspection and the condition of all tower lights and associated tower lighting control devices, indicators, and alarms systems.

(2) Any adjustments, replacements, or repairs made to insure compliance with the lighting requirements and the date such adjustments, replacements, or repairs were made.

§ 95.113 Answers to notices of violations.

(a) Any licensee who appears to have violated any provision of the Communications Act or any provision of this chapter shall be served with a written notice calling the facts to his attention and requesting a statement concerning the matter. FCC Form 793 may be used for this purpose.

(b) Within 10 days from receipt of notice or such other period as may be specified, the licensee shall send a written answer, in duplicate, direct to the office of the Commission originating the notice. If an answer cannot be sent nor an acknowledgment made within such period by reason of illness or other unavoidable circumstances, acknowledgment and answer shall be made at the earliest practicable date with a satisfactory explanation of the delay.

(c) The answer to each notice shall be complete in itself and shall not be abbreviated by reference to other communications or answers to other notices. In every instance the answer shall contain a statement of the action taken to correct the condition or omission complained of and to preclude its recurrence. If the notice relates to violations that may be due to the physical or electrical characteristics of transmitting apparatus, the licensee must comply with the provisions of § 95.53, and the answer to the notice shall state fully what steps, if any, have been taken to prevent future violations, and, if any new apparatus is to be installed, the date such apparatus was ordered, the name of the manufacturer, and the promised date of delivery. If the installation of such apparatus requires a construction permit, the file number of the application shall be given, or if a file number has not been assigned by the Commission, such identification shall be given as will permit ready identification of the application. If the notice of violation relates to lack of attention to or improper operation of the transmitter, the name and license number of the operator in charge, if any, shall also be given.

§ 95.115 False signals.

No person shall transmit false or deceptive communications by radio or identify the station he is operating by means of a call sign which has not been assigned to that station.

§ 95.117 Station location.

(a) The specific location of each Class A base station and each Class A fixed station and the specific area of operation of each Class A mobile station shall be indicated in the application for license. An authorization may be granted for the operation of a Class A base station or fixed station in this service at unspecified temporary fixed locations within a specified general area of operation. However, when any unit or units of a base station or fixed station authorized to be operated at temporary locations actually remains or is intended to remain at the same location for a period of over a year, application for separate authorization specifying the fixed location shall be made as soon as possible but not later than 30 days after the expiration of the 1-year period.

(b) A Class A mobile station authorized in this service may be used or operated anywhere in the United States subject to the provisions of paragraph (d) of this section: *Provided*, That when the area of operation is changed for a period exceeding 7 days, the following procedure shall be observed:

(1) When the change of area of operation occurs inside the same Radio District, the Engineer in Charge of the Radio District involved and the Commission's office, Washington, D.C., 20554, shall be notified.

(2) When the station is moved from one Radio District to another, the Engineers in Charge of the two Radio Districts involved and the Commission's office, Washington, D.C., 20554, shall be notified.

(c) A Class B, Class C or Class D mobile station may be used or operated anywhere in the United States subject to the provisions of paragraph (d) of this section.

(d) A mobile station authorized in this service may be used or operated on any vessel, aircraft, or vehicle of the United States: *Provided*, That when such vessel, aircraft, or vehicle is outside the territorial limits of the United States, the station, its operation, and its operator shall be subject to the governing provisions of any treaty concerning telecommunications to which the United States is a party, and when within the territorial limits of any foreign country, the station shall be subject also to such laws and regulations of that country as may be applicable.

§ 95.119 Control points, dispatch points, and remote control.

(a) A control point is an operating position which is under the control and supervision of the licensee, at which a person immediately responsible for the proper operation of the transmitter is stationed, and at which adequate means are available to aurally monitor all transmissions and to render the transmitter inoperative. Each Class A base or fixed station shall be provided with a control point, the location of which will be specified in the license. The location of the control point must be the same as the transmitting equipment unless the application includes a request for a different location. Exception to the requirement for a control point may be made by the Commission upon specific request and justification therefor in the case of certain unattended Class A stations employing special emissions pursuant to § 95.47(e). Authority for such exception must be shown on the license.

(b) A dispatch point is any position from which messages may be transmitted under the supervision of the person at a control point who is responsible for the proper operation of the transmitter. No authorization is required to install dispatch points.

(c) Remote control of a citizens radio station means the control of the transmitting equipment of that station from any place other than the location of the transmitting equipment, except that direct mechanical control or direct electrical control by wired connections of transmitting equipment from some other point or the same premises, craft, or vehicle shall not be considered remote control. A Class A base or fixed station may be authorized to be used or operated by remote control from another fixed location or from mobile units: *Provided*, That adequate means are available to enable the person using or operating the station to render the transmitting equipment inoperative from each remote control position should improper operation occur.

(d) Operation of any Class B, Class C or Class D station by remote control is prohibited.

§ 95.121 Civil defense communications.

A licensee of a station authorized under this part may use the licensed radio facilities for the transmission of messages relating to civil defense activities in connection with official tests or drills conducted by, or actual emergencies proclaimed by, the civil defense agency having jurisdiction over the area in which the station is located: *Provided*, That:

(a) The operation of the radio station shall be on a voluntary basis.

(b) [Reserved]

(c) Such communications are conducted under the direction of civil defense authorities.

(d) As soon as possible after the beginning of such use, the licensee shall send notice to the Commission in Washington, D.C., and to the Engineer in Charge of the Radio District in which the station is located, stating the nature of the communications being transmitted and the duration of the special use of the station. In addition, the Engineer in Charge shall be notified as soon as possible of any change in the nature of or termination of such use.

(e) In the event such use is to be a series of pre-planned tests or drills of the same or similar nature which are scheduled in advance for specific times or at certain intervals of time, the licensee may send a single notice to the Commission in Washington, D.C., and to the Engineer in Charge of the Radio District in which the station is located, stating the nature of the communications to be transmitted, the duration of each such test, and the times scheduled for such use. Notice shall likewise be given in the event of any change in the nature of or termination of any such series of tests.

(f) The Commission may, at any time, order the discontinuance of such special use of the authorized facilities.

RULES AND REGULATIONS

Part 97 | *Amateur Radio Service*

OCTOBER 1966

FEDERAL COMMUNICATIONS COMMISSION

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AUTHORITY: §§ 97.1 to 97.313 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. Sub. Chap. I, III–VI.

SUBPART A—GENERAL

§ 97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

(a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications.

(b) Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.

(c) Encouragement and improvement of the amateur radio service through rules which provide for advancing skills in both the communication and technical phases of the art.

(d) Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.

(e) Continuation and extension of the amateur's unique ability to enhance international good will.

§ 97.3 Definitions.

(a) *Amateur service.* A radio service carried on by amateur stations.

(b) *Amateur operator.* A person interested in radio technique solely with a personal aim and without pecuniary interest, holding a valid license issued by the Federal Communications Commission authorizing him to operate licensed amateur stations.

(c) *Amateur station.* A station used by an amateur operator, and embracing all radio transmitting apparatus at a particular location used for amateur service and operated under a single instrument of authorization.

(d) *Amateur portable station.* An amateur station that is so constructed that it may conveniently be moved about from place to place for communication, but which is not operated while in motion.

(e) *Amateur mobile station.* An amateur station that is so constructed that it may conveniently be transferred to or from a mobile unit or from one such unit to another, and is ordinarily used while such mobile unit is in motion.

(f) *Amateur radio communication.* Radio communication between amateur stations solely with a personal aim and without pecuniary interest.

(g) *Remote control.* Control of transmitting equipment of an amateur station from an operating position other than one at which the transmitter is in view and immediately accessible, except that, direct mechanical control or direct electrical control by wired connections of an amateur transmitter from a point located on board any aircraft, vessel or vehicle on which such transmitter is located shall not be considered remote control within the meaning of this definition.

(h) *Antenna structure.* The radiating system, including its supporting structures, and any surmounting appurtenances.

(i) *Aircraft landing area.* Any locality, either on land or water, including airports and intermediate landing fields, which is used, or approved for use, for landing and take-off of aircraft whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for the receiving or discharging of passengers or cargo.

SUBPART B—AMATEUR OPERATOR AND STATION LICENSES

OPERATOR LICENSES

§ 97.5 Classes of operator licenses.

Amateur extra class.
Advanced class (previously class A).
General class (previously class B).
Conditional class (previously class C).
Technician class.
Novice class.

§ 97.7 Privileges of operator licenses.

(a) *Amateur Extra Class and Advanced Class.* All authorized amateur privileges including exclusive frequency operating authority in accordance with the following table, effective on the dates shown:

Frequencies	Class of license authorized	Effective date
3500–3525 kc/s 3800–3825 kc/s 7000–7025 kc/s 14,000–14,025 kc/s 21,000–21,025 kc/s 21,250–21,275 kc/s	Amateur extra only	Nov. 22, 1968
3500–3550 kc/s 7000–7050 kc/s 14,000–14,050 kc/s 21,000–21,050 kc/s	Amateur extra only	Nov. 22, 1969
3825–3850 kc/s 7200–7225 kc/s 14,200–14,235 kc/s 21,275–21,300 kc/s 50–50.1 Mc/s	Amateur extra and advanced.	Nov. 22, 1968
3825–3900 kc/s 7200–7250 kc/s 14,200–14,275 kc/s 21,275–21,350 kc/s 50–50.25 Mc/s	Amateur extra and advanced.	Nov. 22, 1969

(b) *General Class and Conditional Class.* All authorized amateur privileges except those exclusive frequency operating privileges which are reserved to the Advanced Class and/or the Amateur Extra Class.

(c) *Technician Class.* All authorized amateur privileges on the frequencies 50.25–54 Mc/s and 145–147 Mc/s and in the amateur frequency bands above 220 Mc/s.

NOTE: Technician Class licensees may additionally operate on the frequencies 50–50.1 Mc/s until November 22, 1968, and 50.1 to 50.25 Mc/s until November 22, 1969.

(d) *Novice Class.* Those amateur privileges designated and limited as follows:

(1) The d.c. plate power input to the vacuum tube or tubes supplying power to the antenna shall not exceed 75 watts, and the transmitter shall be crystal controlled.

(2) Operation on the frequency bands 3700–3750 kc/s, 7150–7200 kc/s, 21.10 to 21.25 Mc/s, and 145–147 Mc/s is authorized for radiotelegraphy using only type A–1 emission.

NOTE: Novice Class licensees may additionally operate until November 22, 1968, on 145–147 Mc/s for radiotelephony using types of emission as set forth in § 97.61.

[*§ 97.7 amended eff. 11–22–67; VI (66)–3*]

§ 97.9 Eligibility for new operator license.

Persons are eligible to apply for the various classes of amateur operator licenses as follows:

(a) *Amateur extra class.* Any citizen or national of the United States who either (1) at any time prior to receipt of his application by the Commission has held for a period of 2 years or more a valid amateur operator license issued by the Federal Communications Commission, excluding licenses of the Novice and Technician Classes, or (2) submits evidence of having held a valid amateur radio station or operator license issued by any agency of the U.S. Government during or prior to April 1917.

(b) *Advanced Class.* Any citizen or national of the United States.

(c) *General class.* Any citizen or national of the United States.

(d) *Conditional class.* Any citizen or national of the United States:

(1) Whose actual residence and amateur station location are more than 175 miles airline distance from the nearest location at which examinations are held at intervals of not more than 6 months for General Class amateur operator licenses.

(2) Who is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(3) Who is shown by certificate of the commanding officer to be in the armed forces of the United States at any Army, Navy, Air Force, or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(4) Who furnishes sufficient evidence, at the time of filing, of temporary residence for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this paragraph.

(e) *Technician class.* Any citizen or national of the United States.

(f) *Novice class.* Any citizen or national of the United States except a former holder of an amateur license of any class issued by any agency of the U.S. Government, military or civilian.

[*§ 97.9(b) amended eff. 11–22–67; VI(66)–3*]

§ 97.11 Application for operator license.

(a) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which will require an examination supervised by Commission personnel at a regular Commission examining office shall be submitted to such office in advance of or at the time of the examination, except that, whenever an examination is to be taken at a designated examination point away from a Commission office, the application, together with the necessary filing fee should be submitted in advance of the ex-

amination date to the office which has jurisdiction over the examination point involved.

(b) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which requests an examination supervised by a volunteer examiner under the provisions of § 97.29(b), shall be submitted to the Commission's office at Gettysburg, Pennsylvania, 17325. The application shall be accompanied by any necessary filing fee and by a request for the written examination material (see § 97.29(b)).

(c) An application (FCC Form 610) for renewal and/or modification of license when no change in operating privileges is involved shall be submitted, together with any necessary filing fee, to the Commission's office at Gettysburg, Pennsylvania, 17325.

§ 97.13 Renewal or modification of operator license.

(a) An amateur operator license, except the Novice Class, may be renewed upon proper application in which it is stated that the applicant has lawfully accumulated, at an amateur station licensed by the Commission, a minimum total of either 2 hours operating time during the last 3 months or 5 hours operating time during the last 12 months of the license term. Such operating time, for the purpose of renewal, shall be counted as the total of all that time between the entries in the station log showing the beginning and end of transmissions as required in § 97.103(a), both during single transmissions and during a sequence of transmissions. The application shall, in addition to the foregoing, include a statement that the applicant can send by hand key, i.e., straight key or any other type of hand operated key such as a semi-automatic or electronic key, and receive by ear, in plain language, messages in the International Morse Code at a speed of not less than that which is required in qualifying for an original license of the class being renewed.

NOTE: Until further order of the Commission, the showing that the applicant actually operated an amateur radio station or stations for the periods of time specified in § 97.13 will not be required in cases where it is shown that the applicant was unable to conduct such operation because he was on active duty overseas in the armed forces of the United States or was duly enrolled as an employee of an agency of the Federal Government and in the course of such employment was on duty in a foreign country continuously during the last year of the license term: *Provided,* That any such employee of the Federal Government shall submit with his application for renewal of license a statement signed by his agency head, or the chief of the Bureau or Division in which he is employed attesting to such employment.

(b) The Novice Class license will not be renewed.

(c) The applicant shall qualify for a new license by examination if the requirements of this section are not fulfilled.

(d) Application for renewed and/or modification of an amateur operator license shall be submitted on FCC Form 610 and shall be accompanied by the applicant's license. Application for renewal of unexpired licenses must be made during the license term and should be filed within 90 days but not later than 30 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of an unexpired license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(e) If a license is allowed to expire, application for renewal may be made during a period of grace of one year after the expiration date. During this one year period of grace, an expired license is not valid. A license renewed during the grace period will be dated currently and will not be backdated to the date of its expiration. Application for renewal shall be submitted on FCC Form 610 and shall be accompanied by the applicant's expired license.

(f) When the name of a licensee is changed or when the mailing address is changed a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, the radio station call sign and class of operator license. The notice shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be kept by the licensee until a new license is issued.

OPERATOR LICENSE EXAMINATIONS

§ 97.19 When examination is required.

Examination is required for the issuance of a new amateur operator license, and for a change in class of operating privileges. Credit may be given, however, for certain elements of examination as provided in § 97.25.

§ 97.21 Examination elements.

Examinations for amateur operator privileges will comprise one or more of the following examination elements:

(a) Element 1(A): Beginner's code test at five (5) words per minute;

(b) Element 1(B): General code test at thirteen (13) words per minute;

(c) Element 1(C): Expert's code test at twenty (20) words per minute;

(d) Element 2: Basic law comprising rules and regulations essential to beginners' operation, including sufficient elementary radio theory for the understanding of those rules;

(e) Element 3: General amateur practice and regulations involving radio operation and apparatus and provisions of treaties, statutes, and rules affecting amateur stations and operators;

(f) Element 4(A): Intermediate amateur practice involving intermediate level radio theory and operation as applicable to modern amateur techniques, including, but not limited to, radiotelephony and radiotelegraphy;

(g) Element 4(B): Advanced amateur practice involving advanced radio theory and operation as applicable to modern amateur techniques, including, but not limited to, radiotelephony, radiotelegraphy, and transmissions of energy for measurements and observations applied to propagation, for the radio control of remote objects and for similar experimental purposes.

[*§ 97.21 amended eff. 11-22-67; VI(66)-3*]

§ 97.23 Examination requirements.

Applicants for original licenses will be required to pass the following examination elements:

(a) Amateur Extra Class: Elements 1(C), 3, 4(A), and 4(B);

(b) Advanced Class: Elements 1(B), 3, and 4(A);

(c) General Class and Conditional Class: Elements 1(B) and 3;

(d) Technician Class: Elements 1(A) and 3;

(e) Novice Class: Elements 1(A) and 2.

[*§ 97.23 amended eff. 11-22-67; VI(66)-3*]

§ 97.25 Examination credit.

(a) An applicant for a higher class of amateur operator license who holds a valid amateur operator license issued upon the basis of an examination by the Commission will be required to pass only those elements of the higher class examination that were not included in the examination for the amateur license held when such application was filed. However, credit will not be allowed for licenses issued on the basis of an examination given under the provisions of § 97.29(b).

(b) An applicant for any class of amateur operator license, except the Extra Class, will be given credit for the telegraph code element if within five years prior to the receipt of his application by the Commission he held a commercial radiotelegraph operator license or permit issued by the Federal Communications Commission.

(c) An applicant for the Amateur Extra Class operator license will be given credit for examination elements 1(C), 4(A), and 4(B), if he so requests and submits evidence of having held a valid amateur radio station or operator license issued by any agency of the U.S. Government during or prior to April 1917, and qualifies for or currently holds a valid amateur operator license of the General or Advanced Class.

(d) No examination credit, except as herein provided, shall be allowed on the basis of holding or having held any amateur or commercial operator license.

[*§ 97.25(c) amended eff. 11-22-67; VI(66)-3*]

§ 97.27 Availability of Conditional Class license examinations.

The examinations for Conditional Class will be available only under one or more of the following conditions:

(a) If the applicant's actual residence and proposed amateur station location are more than 175 miles airline distance from the nearest location at which examinations are conducted by an authorized Commission employee or representative at intervals of not more than 6 months for amateur operator license.

(b) If the applicant is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(c) If the applicant is shown by certificate of the commanding officer to be in the armed forces of the United States at an Army, Navy, Air Force, or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(d) If the applicant demonstrates by sufficient evidence that his temporary residence is for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this section.

§ 97.28 Mail examinations for disabled applicants for Amateur Extra and Advanced Class licenses.

(a) The Commission may permit the examination for an Amateur Extra or Advanced Class license to be administered by a volunteer examiner selected by the applicant when it is shown by a physician's certificate that the applicant is unable to appear for a Commission supervised examination because of protracted disability.

(b) The volunteer examiner for an Amateur Extra or Advanced Class license examination shall be at least 21 years of age and shall be the holder of a class of amateur operator license equal to or higher than the class of license for which the applicant is being examined. The written portion of the examination shall be

obtained, supervised, and submitted in accordance with the procedures set forth in § 97.29(b).

[*§ 97.28 as adopted effective 6–17–68; VI(66)–5*]

§ 97.29 Manner of conducting examinations.

(a) Except as provided by § 97.28, the examination for Amateur Extra, Advanced and General Classes of amateur operator licenses will be conducted by an authorized Commission employee or representative at locations and at times specified by the Commission.

(b) Unless otherwise prescribed by the Commission, an examination for the Conditional, Technician, or Novice Class license will be conducted and supervised by a volunteer examiner selected by the applicant. A volunteer examiner shall be at least 21 years of age and shall be the holder of an Extra, Advanced, or General Class Amateur Radio operator license, or shall hold a Commercial radiotelegraph operator license issued by the Commission, or shall be employed in the service of the United States as the operator of a manually operated radiotelegraph station. The written portion of the examination shall be obtained, supervised, and submitted in accordance with the following procedure:

(1) Within 10 days after passing the required code test, an applicant shall submit an application (FCC Form 610), together with any filing fee prescribed, to the Commission's office at Gettysburg, Pennsylvania, 17325. The application shall include a written request from the volunteer examiner for the appropriate examination papers. The examiner's written request shall include (i) the names and permanent addresses of the examiner and the applicant, (ii) a description of the examiner's qualifications to administer the examination, (iii) the examiner's statement that the applicant has passed the code test for the class of license involved under his supervision within the 10 days prior to submission of the request, and (iv) the examiner's written signature. Examination papers will be forwarded only to the volunteer examiner.

NOTE: When the applicant is entitled to examination credit for the code test under one of the provisions of § 97.25, an application may be submitted without regard to the 10-day limitation. The examiner's request should then state that a code test was not administered for that reason. The applicant should furnish details as to the class, number, and expiration date of any Commercial radiotelegraph license involved.

(2) The volunteer examiner shall be responsible for the proper conduct and necessary supervision of the examination. Administration of the examination shall be in accordance with the instructions included with the examination papers and as prescribed in §§ 97.29 (c) and (d), 97.31, and 97.33.

(3) The examination papers, either completed or unopened in the event the examination is not taken, shall be returned by the volunteer examiner to the Commission's office at Gettysburg, Pennsylvania within the time prescribed (normally not later than 20 days after the date when the papers are forwarded by the Commission).

(c) The code test required of an applicant for amateur radio operator license, in accordance with the provisions of §§ 97.21 and 97.23 shall determine the applicant's ability to transmit by hand key (straight key or, if supplied by the applicant, any other type of hand operated key such as a semi-automatic or electronic key) and to receive by ear, in plain language, messages in the International Morse Code at not less than the prescribed speed, free from omission or other error for a continuous period of at least 1 minute during a test period of 5 minutes counting five characters to the word, each numeral or punctuation mark counting as two characters.

(d) All written portions of the examinations for amateur operator privileges shall be completed by the applicant in legible handwriting or hand printing, and diagrams shall be drawn by hand, by means of either pen and ink or pencil. Whenever the applicant's signature is required, his normal signature shall be used. Applicants unable to comply with these requirements, because of physical disability, may dictate their answers to the examination questions and the receiving code test and if unable to draw required diagrams, may dictate a detailed description essentially equivalent. If the examination or any part thereof is dictated, the examiner shall certify the nature of the applicant's disability and the name and address of the person(s) taking and transcribing the applicant's dictation.

[*§ 97.29(a) & (b)(1) Note amended eff. 6–17–68; VI(66)–5*]

§ 97.31 Grading of examinations.

(a) Code tests for sending and receiving are graded separately. Failure to pass the required code test for either sending or receiving will terminate the examination.

(b) Seventy-four percent (74%) is the passing grade for written examinations. For the purpose of grading, each element required in qualifying for a particular license will be considered as a separate examination. All written examinations will be graded only by Commission personnel.

[*§ 97.31(b) amended eff. 11–22–67; VI(66)–3*]

§ 97.33 Eligibility for re-examination.

An applicant who fails examination for an amateur operator license may not take another examination for

the same or a higher class amateur operator license within 30 days, except that this limitation shall not apply to an examination for an Advanced or General Class license following an examination conducted by a volunteer examiner for a Novice, Technician, or Conditional Class license.

[*§ 97.33 amended eff. 11-22-67; VI(66)-3*]

§ 97.35 Additional examination for holders of operator licenses obtained by mail.

(a) A licensee who holds an amateur license which was obtained by a mail examination under the supervision of a volunteer examiner may be required to appear for a Commission supervised license examination at a location designated by the Commission. If the licensee fails to appear for this examination when directed to do so, or fails to pass such examination, the operator license involved shall be subject to cancellation. When a Novice, Technician, or Conditional Class license is cancelled under this provision, a new license will not be issued for the same class operator license as that cancelled.

(b) [Reserved]

(c) A holder of a Conditional Class license, obtained on the basis of an examination under the provisions of § 97.29(b), is not required to be re-examined when changing residence and station location to within a regular examination area, nor when a new examination location is established within 175 miles airline distance from such licensee's residence and station location.

[*§ 97.35(a) amended eff. 6-17-68; VI(66)-5*]

STATION LICENSES

§ 97.37 General eligibility for station license.

A license for an amateur station will be issued in response to proper application therefor to a licensed amateur operator who has made a satisfactory showing of control of the transmitting station for which license is desired and of control of the specific premises upon which all of the station apparatus is to be located, at a designated fixed location. An amateur station license may also be issued to an individual, not a licensed amateur operator (other than an alien or a representative of an alien or of a foreign government), who is in charge of a proposed amateur station for recreation under military auspices (only of the Armed Forces of the United States) which is to be located in approved public quarters but not operated by the United States Government.

§ 97.39 Eligibility of corporations or organizations to hold station license.

An amateur station license will not be issued to a school, company, corporation, association, or other organization, nor for its use, except that in the case of a bona fide amateur radio organization or society, a station license may be issued to a licensed amateur operator, other than the holder of a Novice Class license, as trustee for such society.

§ 97.41 Application for station license.

(a) Each application for a station license shall be made in writing on FCC Form 610.

(b) One application and all papers incorporated therein and made a part thereof shall be submitted for each amateur station license. If the application is for station license only, it shall be filed directly with the Commission at its Gettysburg, Pa., office. If the application also contains application for any class of amateur operator license, it shall be filed in accordance with the provisions of § 97.11.

(c) Applicants proposing to construct a radio station on a site located on land under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

[*§ 97.41(c) adopted eff. 3-20-67; VI(66)-2*]

§ 97.43 Location of station.

(a) Every amateur station shall have a fixed transmitter location. Only one fixed transmitter location will be authorized and will be designated on the license for each amateur station, except that when remote control is authorized, the location of the remote control position as well as the location of the remotely controlled transmitter shall be considered as fixed transmitter locations and will be so designated on the station license. Unless remote control of the transmitting apparatus is authorized, such apparatus shall be operated only by a duly licensed amateur radio operator present at the location of such apparatus.

(b) Authority for operation of an amateur station with the licensed operator on duty at a specific remote control point in lieu of the remote transmitter location may be granted upon filing an application for a modified station license on FCC Form 610, provided that the following conditions are met:

(1) The remote control point as well as the remotely controlled transmitter, shall be located on premises controlled by the licensee.

(2) The remotely controlled transmitter shall be so installed and protected that it is inaccessible to other than duly authorized persons.

(3) In addition to the requirements of § 97.85 a photocopy of the amateur station license shall be posted in a conspicuous place at the location of the remotely controlled transmitter.

(4) Means shall be provided at the control point to permit the continuous monitoring of the emissions of the remotely controlled transmitter, and it shall be continuously monitored when in operation.

(5) Means shall be provided at the remote control point immediately to suspend the radiation of the transmitter when there is any deviation from the terms of the station license or from the Amateur Radio Service rules.

(6) In the event that operation of an amateur transmitter from a remote control point by radio is desired, an application for a modified station license on FCC Form 610 should be submitted with a letter requesting authority to operate in such a manner stating that the controlling transmitter at the remote control location will operate within amateur frequency bands 220 megacycles or higher and that there will be full compliance with subparagraphs (1) through (5) of this paragraph. Supplemental statements and diagrams should accompany the application and show how radio remote control will be accomplished and what means will be employed to prevent unauthorized operation of the transmitter by signals other than those from the controlling unit. There should be included complete data on control channels, relays and functions of each, directional antenna design for the transmitter and receiver in the control circuit and means employed for turning the main transmitter on and off from the remote control location.

(c) An amateur transmitter may be operated from a remote control point in lieu of the remote transmitter location without special authorization by the Commission when there is direct mechanical control or direct electrical control by wired connections of the transmitter from a point located in the same or closely adjoining building or structure provided there is full compliance with the conditions set forth in paragraphs (b) (1) through (5) of this section.

§ 97.45 Limitations on antenna structures.

(a) No new antenna structure shall be erected for use by any station in the Amateur Radio Service, and no change shall be made in any existing antenna structure used or intended to be used by any station in the Amateur Radio Service so as to increase its overall height above ground level, without prior approval by the Commission, in any case when either (1) the antenna structure proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on an existing man-made structure other than an antenna structure and does not increase the overall height of such man-made structure by more than 20 feet, or (2) the antenna structure proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except where the height of the antenna does not exceed 20 feet above the ground or if the antenna is mounted on an existing man-made structure other than an antenna structure or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet as a result of such mounting.

(b) Further details as to whether an aeronautical study and/or obstruction marking may be required, and specifications for obstruction marking when required, may be obtained from Part 17 of this chapter, "Construction, Marking and Lighting of Antenna Structures." Information regarding requirements as to inspection of obstruction marking, recording of information regarding such inspection, and maintenance of

§ 97.53 Policies and procedures applicable to assignment of call signs.

(a) The following are regarded as preferred call signs:

(1) Two-letter call signs—call signs with a single letter prefix (two-letter prefix in Alaska, Hawaii, and in the U.S. possessions) and a two-letter suffix; e.g. W6AB (KH6AB).

(2) Three-letter call signs—call signs with a single letter prefix and a three-letter suffix; e.g. W6ABC.

(b) An eligible licensee will be permitted to hold only one two-letter call sign. However, a licensee who, by reason of former rule provisions, presently holds more than one such call sign may continue to hold those call signs in the same call sign areas.

(c) Subject to availability, two-letter call signs beginning with the letter "W" will normally be assigned in each call sign area to eligible licensees.

(d) An eligible licensee who holds one or more three-letter call signs must relinquish one of those call signs in order to be assigned a two-letter call sign.

(e) New additional stations will not be assigned a preferred call sign.

(f) An additional station which is presently assigned a preferred call sign will be issued a nonpreferred call sign upon modification of license to show a station location in a different call sign area.

(g) Subject to availability, a basic station will be issued the same type of call sign as the one relinquished upon modification of license to show a station location in a different call sign area.

(1) Licensees will not be assigned specific call signs of their choice or counterpart call signs (call signs with identical suffix letters) under this provision.

(2) When a two-letter call sign is not available in the new call sign area, an eligible licensee may be assigned an available unspecified three-letter call sign.

(h) Call signs which have been unassigned for more than one year are normally available for reassignment.

[*§ 97.53 adopted eff. 3-15-68; VI(66)-4*]

DUPLICATE LICENSES AND LICENSE TERM

§ 97.57 Duplicate license.

Any licensee requesting a duplicate license to replace an original which has been lost, mutilated, or destroyed, shall submit a statement setting forth the facts regarding the manner in which the original license was lost, mutilated, or destroyed. If, subsequent to receipt by the licensee of the duplicate license, the original license is found, either the duplicate or the original license shall be returned immediately to the Commission.

§ 97.59 License term.

(a) Amateur operator licenses are normally valid for a period of 5 years from the date of issuance of a new or renewed license, except the Novice Class which is normally valid for a period of 2 years from the date of issuance.

(b) The license for an amateur station is normally valid for a period of 5 years from the date of issuance of a new or renewed license except that an amateur station license issued to the holder of a Novice Class amateur operator license is normally valid for a period of 2 years from the date of issuance.

(c) A duplicate license or a modified license which is not being renewed shall bear the same expiration date as the license for which it is a modification or duplicate.

[*§ 97.59 (a) and (b) amended eff. 11-22-67; VI(66)-3*]

SUBPART C—TECHNICAL STANDARDS

§ 97.61 Authorized frequencies and emissions.

(a) Following are the frequency bands and associated emissions available to amateur stations, subject to the limitations stated in paragraph (b) of this section and § 97.65.

Frequency band	Emissions	Limitations (see paragraph (b))
kc/s		
1800 to 2000	A1, A3	1, 2
3500 to 4000	A1	
3500 to 3800	F1	
3800 to 3850	A5, F5	
3850 to 3900	A5, F5	3
3800 to 4000	A3, F3	4
7000 to 7300	A1	
7000 to 7200	F1	
7200 to 7225	A5, F5	
7225 to 7250	A5, F5	3
7200 to 7300	A3, F3	
14000 to 14350	A1	
14000 to 14200	F1	
14200 to 14235	A5, F5	
14235 to 14275	A5, F5	3
14200 to 14350	A3, F3	
Mc/s		
21.00 to 21.45	A1	
21.00 to 21.25	F1	
21.25 to 21.30	A5, F5	
21.30 to 21.35	A5, F5	3
21.25 to 21.45	A3, F3	
28.0 to 29.7	A1	
28.5 to 29.7	A3, A5, F3, F5	
29.0 to 29.7	F1	
50.0 to 54.0	A1	
50.1 to 54.0	A2, A3, A4, A5, F1, F2, F3, F5	
51.0 to 54.0	AØ	
144 to 148	A1	
144 to 147.9	AØ, A2, A3, A4, A5, FØ, F1, F2, F3, F5	
220 to 225	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	5, 6
420 to 450	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	5, 7
1215 to 1300	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	5
2300 to 2450	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	5, 8
3300 to 3500	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	5
5650 to 5925	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	5, 9
10000 to 10500	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	5
21000 to 22000	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	
Above 40000	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	

(b) Limitations:

(1) The use of frequencies in this band is on a shared basis with the LORAN A radionavigation system and is subject to cancellation or revision, in whole or in part, by order of the Commission, without hearing, whenever the Commission shall determine such action is necessary in view of the priority of the LORAN A radionavigation system. The use of these frequencies by amateur stations shall not cause harmful interference to LORAN A system. If an amateur station causes such interference, operation on the frequencies involved must cease if so directed by the Commission.

(2) Operation shall be limited to:

Area	Maximum DC plate input power in watts															
	1800–1825 kc/s		1825–1850 kc/s		1850–1875 kc/s		1875–1900 kc/s		1900–1925 kc/s		1925–1950 kc/s		1950–1975 kc/s		1975–2000 kc/s	
	Day	Night	Day	Night	Day	Night	Day	Night	Day	Night	Day	Night	Day	Night	Day	Night
Alabama	500	100	100	25	No operation		No operation		No operation		No operation		100	25	500	100
Alaska	200	50	No operation		No operation		200	50	No operation		No operation		No operation		No operation	
Arizona	No operation		No operation		No operation		No operation		No operation		200	50	500	100	1000	200
Arkansas	1000	200	200	50	100	25	No operation		No operation		100	25	100	25	500	100
California	No operation		No operation		No operation		No operation		100	25	200	50	200	50	500	100
Colorado	200	50	No operation		No operation		No operation		No operation		200	50	200	50	1000	200
Connecticut	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
Delaware	500	100	100	25	No operation		No operation		No operation		No operation		No operation		100	25
District of Columbia	500	100	100	25	No operation		No operation		No operation		No operation		No operation		100	25
Florida	500	100	100	25	No operation		No operation		No operation		No operation		100	25	500	100
Georgia	500	100	100	25	No operation		No operation		No operation		No operation		No operation		200	50
Hawaii	No operation		No operation		No operation		No operation		200	50	100	25	100	25	500	100
Idaho	100	25	No operation		No operation		100	25	100	25	100	25	100	25	500	100
Illinois	1000	200	200	50	100	25	No operation		No operation		No operation		No operation		200	50
Indiana	1000	200	500	100	100	25	No operation		No operation		No operation		No operation		200	50
Iowa	1000	200	200	50	200	50	No operation		No operation		100	25	100	25	500	100
Kansas	500	100	100	25	100	25	No operation		No operation		100	25	200	50	1000	200
Kentucky	1000	200	500	100	100	25	No operation		No operation		No operation		No operation		200	50
Louisiana	500	100	100	25	No operation		No operation		No operation		No operation		100	25	500	100
Maine	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
Maryland	500	100	100	25	No operation		No operation		No operation		No operation		No operation		100	25
Massachusetts	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
Michigan	1000	200	500	100	100	25	No operation		No operation		No operation		No operation		100	25
Minnesota	500	100	100	25	100	25	100	25	100	25	100	25	100	25	500	100
Mississippi	500	100	100	25	No operation		No operation		No operation		No operation		100	25	500	100
Missouri	1000	200	200	50	100	25	No operation		No operation		100	25	100	25	500	100
Montana	100	25	No operation		No operation		100	25	100	25	100	25	100	25	500	100
Nebraska	500	100	100	25	100	25	No operation		No operation		200	50	200	50	1000	200
Nevada	No operation		No operation		No operation		No operation		100	25	200	50	200	50	1000	200
New Hampshire	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
New Jersey	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
New Mexico	100	25	No operation		No operation		No operation		No operation		100	25	500	100	1000	200
New York	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
North Carolina	500	100	100	25	No operation		No operation		No operation		No operation		No operation		100	25
North Dakota	500	100	100	25	100	25	100	25	100	25	200	50	200	50	1000	200
Ohio	1000	200	500	100	100	25	No operation		No operation		No operation		No operation		100	25
Oklahoma	500	100	100	25	100	25	No operation		No operation		100	25	200	50	1000	200
Oregon	No operation		No operation		No operation		No operation		200	50	100	25	100	25	500	100
Pennsylvania	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
Rhode Island	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
South Carolina	500	100	100	25	No operation		No operation		No operation		No operation		No operation		200	50
South Dakota	500	100	100	25	100	25	100	25	100	25	200	50	200	50	1000	200
Tennessee	1000	200	500	100	100	25	No operation		No operation		No operation		No operation		200	50
Texas	200	50	No operation		No operation		No operation		No operation		No operation		100	25	500	100
Utah	100	25	No operation		No operation		100	25	100	25	200	50	200	50	1000	200
Vermont	500	100	100	25	No operation		No operation		No operation		No operation		No operation		No operation	
Virginia	500	100	100	25	No operation		No operation		No operation		No operation		No operation		100	25
Washington	No operation		No operation		No operation		No operation		200	50	No operation		No operation		500	100
West Virginia	1000	200	500	100	100	25	No operation		No operation		No operation		No operation		100	25
Wisconsin	1000	200	200	50	200	50	No operation		No operation		No operation		No operation		200	50
Wyoming	200	50	No operation		No operation		100	25	100	25	200	50	200	50	1000	200
Puerto Rico	500	100	100	25	No operation		No operation		No operation		No operation		No operation		200	50
Virgin Islands	500	100	100	25	No operation		No operation		No operation		No operation		No operation		200	50
Swan Island	500	100	100	25	No operation		No operation		No operation		No operation		100	25	500	100
Serrana Bank	500	100	100	25	No operation		No operation		No operation		No operation		100	25	500	100
Roncador Key	500	100	100	25	No operation		No operation		No operation		No operation		100	25	500	100
Navassa Island	500	100	100	25	No operation		No operation		No operation		No operation		No operation		200	50
Baker, Canton, Enderbury, Howland	100	25	No operation		No operation		100	25	100	25	No operation		No operation		100	25
Guam, Johnston, Midway	No operation		No operation		No operation		No operation		100	25	No operation		No operation		100	25
American Samoa	200	50	No operation		No operation		200	50	200	50	No operation		No operation		200	50
Wake	100	25	No operation		No operation		100	25	No operation		No operation		No operation		No operation	
Palmyra, Jarvis	No operation		No operation		No operation		No operation		200	50	No operation		No operation		200	50

(3) Effective November 22, 1969.

(4) 3900–4000 kc/s not available in following U.S. possessions: Baker, Canton, Enderbury, Guam, Howland, Jarvis, Palmyra, American Samoa, and Wake Islands.

(5) Amateur stations shall not cause interference to the Government radiolocation service.

(6) Not available in those portions of Texas and New Mexico bounded by latitude 33°24′ N., and 31°53′ N., and longitude 105°40′ W. and 106°40′ W. between the hours 0500 and 1800 local time, Monday through Friday, except to stations authorized to operate in an organized civil defense network when civil defense emergencies exist or when arrangements have been made with the Commission Engineer in Charge at Dallas, Tex., and the Area Frequency Coordinator at White Sands, N. Mex., for drills at specific dates and times.

(7) In the following areas the d.c. plate input power to the final transmitter stage shall not exceed 50 watts, except when authorized by the appropriate Commission Engineer in Charge and the appropriate Military Area Frequency Coordinator.

(i) Those portions of Texas and New Mexico bounded by latitude 33°24′ N., 31°53′ N., and longitude 105°40′ W. and 106°40′ W.

(ii) The State of Florida, including the Key West area and the areas enclosed within circles of 200-mile radius centered at 28°21′ N., 80°43′ W. and 30°30′ N., 86°30′ W.

(iii) The State of Arizona.

(iv) Those portions of California and Nevada south of latitude 37°10′ N. and the area within a 200-mile radius of 34°09′ N., 119°11′ W.

8. No protection in the band 2400–2450 Mc/s is afforded from interference due to the operation of industrial, scientific, and medical devices on 2450 kc/s.

9. No protection in the band 5725–5875 is afforded from interference due to the operation of industrial, scientific, and medical devices on 5800 kc/s.

[*§ 97.61 as amended eff. 8–30–68; VI(66)–5*]

§ 97.63 Individual frequency not specified.

Transmissions by an amateur station may be on any frequency within any authorized amateur band. Sideband frequencies resulting from keying or modulating a carrier wave shall be confined within the authorized amateur band.

§ 97.65 Emission limitations.

(a) Type AØ emission, where not specifically designated in the bands listed in § 97.61, may be used for short periods of time when required for authorized remote control purposes or for experimental purposes. However, these limitations do not apply where type AØ emission is specifically designated.

(b) Whenever code practice, in accordance with § 97.91(d), is conducted in bands authorized for A3 emission, tone modulation of the radiotelephone transmitter may be utilized when interspersed with appropriate voice instructions.

(c) On frequencies below 29.0 Mc/s and between 50.1 and 52.5 Mc/s, the bandwidth of an F3 emission (frequency or phase modulation) shall not exceed that of an A3 emission having the same audio characteristics; and the purity and stability of emissions shall comply with the requirements of § 97.73.

(d) On frequencies below 50 Mc/s, the bandwidth of A5 and F5 emissions shall not exceed that of an A3 single sideband emission.

(e) On frequencies between 50 Mc/s and 225 Mc/s, single sideband or double sideband A5 emission may be used and the bandwidth shall not exceed that of an A3 single sideband or double sideband signal respectively. The bandwidth of F5 emission shall not exceed that of an A3 single sideband emission.

(f) Below 225 Mc/s, A3 and A5 emissions may be used simultaneously on the same carrier frequency provided the total bandwidth does not exceed that of an A3 double sideband emission.

[*§ 97.65(c) amended and (d), (e), & (f) adopted eff. 8–30–68; VI(66)–5*]

§ 97.67 Maximum authorized power.

Except for power restrictions as set forth in § 97.61, each amateur transmitter may be operated with a power input not exceeding 1 kilowatt to the plate circuit of the final amplifier stage of an amplifier-oscillator transmitter or to the plate circuit of an oscillator transmitter. An amateur transmitter operating with a power input exceeding 900 watts to the plate circuit shall provide means for accurately measuring the plate power input to the vacuum tube or tubes supplying power to the antenna.

§ 97.69 Radio teleprinter transmissions.

The following special conditions shall be observed during the transmission of radio teleprinter signals on authorized frequencies by amateur stations:

(a) A signal channel five-unit (start-stop) teleprinter code shall be used which shall correspond to the International Telegraphic Alphabet No. 2 with respect to all letters and numerals (including the slant sign or fraction bar) but special signals may be em-

ployed for the remote control of receiving printers, or for other purposes, in "figures" positions not utilized for numerals. In general, this code shall conform as nearly as possible to the teleprinter code or codes in common commercial usage in the United States.

(b) The nominal transmitting speed of the radio teleprinter signal keying equipment shall be adjusted as nearly as possible to the standard speed of 60 words per minute and, in any event, within the range 55 to 65 words per minute.

(c) When frequency shift keying (type F1 emission) is utilized, the deviation in frequency from the mark signal to space signal, or from the space signal to the mark signal, shall be less than 900 cycles per second.

(d) When audio frequency shift keying (type A2 or type F2 emission) is utilized, the highest fundamental modulating audio frequency shall not exceed 3000 cycles per second, and the difference between the modulating audio frequency for the mark signal and that for the space signal shall be less than 900 cycles per second.

§ 97.71 Transmitter power supply.

The licensee of an amateur station using frequencies below 144 megacycles shall use adequately filtered direct-current plate power supply for the transmitting equipment to minimize modulation from this source.

§ 97.73 Purity and stability of emissions.

Spurious radiation from an amateur station being operated with a carrier frequency below 144 megacycles shall be reduced or eliminated in accordance with good engineering practice. This spurious radiation shall not be of sufficient intensity to cause interference in receiving equipment of good engineering design including adequate selectivity characteristics, which is tuned to a frequency or frequencies outside the frequency band of emission normally required for the type of emission being employed by the amateur station. In the case of A3 emission, the amateur transmitter shall not be modulated to the extent that interfering spurious radiation occurs, and in no case shall the emitted carrier wave be amplitude-modulated in excess of 100 percent. Means shall be employed to insure that the transmitter is not modulated in excess of its modulation capability for proper technical operation. For the purposes of this section a spurious radiation is any radiation from a transmitter which is outside the frequency band of emission normal for the type of transmission employed, including any component whose frequency is an integral multiple or submultiple of the carrier frequency (harmonics and subharmonics), spurious modulation products, key clicks, and other transient effects, and parasitic oscillations. When using amplitude modulation on frequencies below 144 megacycles, simultaneous frequency modulation is not permitted and when using frequency modulation on frequencies below 144 megacycles simultaneous amplitude modulation is not permitted. The frequency of the emitted carrier wave shall be as constant as the state of the art permits.

§ 97.75 Frequency measurement and regular check.

The licensee of an amateur station shall provide for measurement of the emitted carrier frequency or frequencies and shall establish procedure for making such measurement regularly. The measurement of the emitted carrier frequency or frequencies shall be made by means independent of the means used to control the radio frequency or frequencies generated by the transmitting apparatus and shall be of sufficient accuracy to assure operation within the amateur frequency band used.

SUBPART D—OPERATING REQUIREMENTS AND PROCEDURES

GENERAL

§ 97.77 Practice to be observed by all licensees.

In all respects not specifically covered by these regulations each amateur station shall be operated in accordance with good engineering and good amateur practice.

§ 97.79 Who may operate an amateur station.

An amateur radio station may be operated only by a person holding a valid amateur operator license. Such station may be operated by the licensee only in the manner and to the extent provided in his amateur operator license. Persons other than the station licensee, when operating such station may operate it only to the extent and in the manner authorized to the licensee of the station and not exceeding the operating authority of such person's own amateur operator license. When an amateur station is used for telephony or radio teleprinter transmissions the station licensee may permit any person to transmit by voice or teleprinter, provided during such transmission call signs are announced or transmitted as prescribed by § 97.87 and a duly licensed amateur operator maintains actual control over the emissions, including turning the carrier on and off for each transmission and signing the station off after communication with each station has been completed.

§ 97.81 Authorized apparatus.

An amateur station license authorizes the use under control of the licensee of all transmitting apparatus at the fixed location specified in the station license which is operated on any frequency, or frequencies allocated to the amateur service, and in addition authorizes the use, under control of the licensee, of portable and mobile transmitting apparatus operated at other locations.

§ 97.83 Availability of operator license.

The original operator license of each operator shall be kept in the personal possession of the operator while operating an amateur station. When operating an amateur station at a fixed location, however, the license may be posted in a conspicuous place in the room occupied by the operator. The license shall be available for inspection by any authorized Government official whenever the operator is operating an amateur station and at other times upon request made by an authorized representative of the Commission, except when such license has been filed with application for modification or renewal thereof, or has been mutilated, lost or destroyed, and request has been made for a duplicate license in accordance with § 97.57. No recognition shall be accorded to any photocopy of an operator license; however, nothing in this section shall be construed to prohibit the photocopying for other purposes of any amateur radio operator license.

§ 97.85 Availability of station license.

The original license of each amateur station or a photocopy thereof shall be posted in a conspicuous place in the room occupied by the licensed operator while the station is being operated at a fixed location or shall be kept in his personal possession. When the station is operated at other than a fixed location, the original station license or a photocopy thereof shall be kept in the personal possession of the station licensee (or a licensed representative) who shall be present at the station while it is being operated as a portable or mobile station. The original station license shall be available for inspection by any authorized Government official at all times while the station is being operated and at other times upon request made by an authorized representative of the Commission, except when such license has been filed with application for modification or renewal thereof, or has been mutilated, lost, or destroyed, and request has been made for a duplicate license in accordance with § 97.57.

§ 97.87 Transmission of call signs.

(a) (1) The operator of an amateur station shall transmit the call sign of the station or stations (or may transmit the generally accepted identification of the network) being called or communicated with, or shall identify appropriately any other purpose of a transmission, followed by the authorized call sign of the station transmitting:

(i) At the beginning and end of each single transmission or;

(ii) At the beginning and end of a series of transmissions between stations having established communication, each transmission of which is of less than three minutes duration (the identification at the end of such a series may be omitted when the duration of the entire series is less than three minutes), and;

(iii) At least once every ten minutes or as soon thereafter as possible during a series of transmissions between stations having established communication, and;

(iv) At least once every ten minutes during any single transmission of more than ten minutes duration.

(2) The required identification shall be transmitted on the frequency or frequencies being employed at the time and, in accordance with the type of emission authorized thereon, shall be by either telegraphy using the International Morse Code, or telephony, except that, when a method of communication other than telegraphy using the International Morse Code or telephony is being used or attempted, the required identification shall be transmitted by that method and only the call sign of the transmitting station need be transmitted either by telegraphy using the International Morse Code or by telephony.

(b) In addition to complying with the requirements of paragraph (a) of this section, an operator of an amateur station operated as a portable or mobile station using radiotelegraphy shall transmit immediately after the call sign of such station, the fraction-bar character ($\overline{DN}$) followed by the number of the amateur call sign area in which the portable or mobile amateur station is then being operated, as for example:

Example 1. Portable or mobile amateur station operating in the third amateur call sign area calls a fixed amateur station: W1ABC W1ABC W1ABC DE W2DEF $\overline{DN}$ 3 W2DEF $\overline{DN}$ 3 W2DEF $\overline{DN}$ 3 $\overline{AR}$.

Example 2. Fixed amateur station answers the portable or mobile amateur station: W2DEF W2DEF W2DEF DE W1ABC K.

Example 3. Portable or mobile amateur station calls a portable or mobile amateur station: W3GHI W3GHI W3GHI DE W4JKL $\overline{DN}$ 4 W4JKL $\overline{DN}$ 4 W4JKL $\overline{DN}$ 4 $\overline{AR}$.

When telephony is used, the call sign of the station shall be preceded by the words "this is" or the word "from" instead of the letters "de," followed by an announcement of the geographical location in which the portable or mobile station is being operated.

Example 4. Portable or mobile amateur radiotelephone station operating in the third call area calls a fixed amateur station: W1ABC W1ABC W1ABC "this is" or the word "from" W2DEF W2DEF W2DEF operating portable (or mobile) 3 miles north of Bethesda, Md., over.

(c) When telephony is used, the transmission of call signs prescribed by paragraphs (a) and (b) of this section may be made by the person transmitting by voice in lieu of a duly licensed operator provided the licensed operator maintains the control required by § 97.79.

(d) When using telephony, phonetic aids to identify the call sign of the station may be employed.

(e) In addition to complying with the requirements of paragraph (a) of this section, an operator of an amateur station operated as a mobile station aboard a vessel on the high seas, or aboard an aircraft en route on an international flight, shall, when the vessel or aircraft is outside the 10 call sign areas prescribed by the Commission in § 97.51(b), comply with the following calling procedure:

(1) Mobile operations aboard a vessel.

(i) When using telegraphy the amateur operator shall transmit immediately after the call sign of the station the fraction bar $\overline{DN}$ followed by the designator MM to indicate that the station is being operated as a mobile station aboard a vessel. In addition, the name of the vessel and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off. If the vessel does not have a name, the number of the vessel shall be transmitted in lieu of the name of the vessel.

(ii) When using telephony the call sign of the station shall be preceded by the words "this is", or the word "from" followed by the words "maritime mobile" to indicate that the station is being operated as a mobile station aboard a vessel. In addition the name of the vessel, and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off. If the vessel does not have a name, the number of the vessel shall be transmitted in lieu of the name of the vessel.

(2) Mobile operations aboard aircraft.

(i) When using telegraphy the amateur operator shall transmit immediately after the call sign of the station the fraction bar $\overline{DN}$ followed by the designator AM to indicate that the station is being operated as a mobile station aboard an aircraft. In addition, the number of the aircraft and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off.

(ii) When using telephony the call sign of the station shall be preceded by the words "this is", or the word "from" followed by the words "aeronautical mobile", to indicate that the station is being operated as a mobile station aboard an aircraft. In addition, the number of the aircraft and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off.

§ 97.89 Points of communications.

An amateur station may be used to communicate only with other amateur stations, except that in emergencies or for test purposes it may also be used temporarily for communication with other classes of stations licensed by the Commission, and with United States Government stations. Amateur stations may also be used to communicate with any radio station other than amateur which is authorized by the Commission to communicate with amateur stations. Amateur stations may be used also for transmitting signals, or communications, or energy, to receiving apparatus for the measurement of emissions, temporary observation of transmission phenomena, radio control of remote objects, and for similar experimental purposes and for the purposes set forth in § 97.91.

§ 97.91 One-way communications.

In addition to the experimental one-way transmission permitted by § 97.89, the following kinds of one-way communications, addressed to amateur stations, are authorized and will not be construed as broadcasting: (a) Emergency communications, including bona-fide emergency drill practice transmissions; (b) Information bulletins consisting solely of subject matter having direct interest to the amateur radio service as such; (c) Round-table discussions or net-type operations where more than two amateur stations are in communication, each station taking a turn at transmitting to other station(s) of the group; and (d) Code practice transmissions intended for persons learning or improving proficiency in the International Morse Code.

§ 97.93 Modulation of carrier.

Except for brief tests or adjustments, an amateur radiotelephone station shall not emit a carrier wave on frequencies below 51 megacycles unless modulated for the purpose of communication. Single audiofrequency tones may be transmitted for test purposes of short duration for the development and perfection of amateur radio telephone equipment.

STATION OPERATION AWAY FROM AUTHORIZED LOCATION

§ 97.95 Requirements for portable and mobile operation.

(a) Within the continental limits of the United States or its possessions, an amateur station may be operated as either a portable or a mobile station on any frequency authorized and available for the amateur radio service. Notice of such operation in accordance with the provisions of § 97.97 shall be given to the Engineer in Charge of the radio district in which operation is intended.

(b) When outside the continental limits of the United States, its territories, or possessions, an amateur radio station may be operated as portable or mobile only under the following conditions:

(1) Operation may not be conducted within the jurisdiction of a foreign government except pursuant to, and in accordance with express authority granted to the licensee by such foreign government. When a foreign government permits Commission licensees to operate within its territory, the amateur frequency bands which may be used shall be as prescribed or limited by that government. (See Appendix 4 of this Part for the text of treaties or agreements between the United States and foreign governments relative to reciprocal amateur radio operation.)

(2) When outside the jurisdiction of a foreign government: Operation may be conducted within Region 2 on any amateur frequency band between 7.0 Mc/s and 148 Mc/s, inclusive; and when not within

Region 2, operation may be conducted only on the amateur frequency bands 14.00–14.35 Mc/s, 21.00–21.45 Mc/s, and 28.0–29.7 Mc/s.

NOTE: Region 2 is defined as follows: On the east, a line (B) extending from the North Pole along meridian 10° west of Greenwich to its intersection with parallel 72° north; thence by Great Circle Arc to the intersection of meridian 50° west and parallel 40° north; thence by Great Circle Arc to the intersection of meridian 20° west and parallel 10° south; thence along meridian 20° west to the South Pole. On the west, a line (C) extending from the North Pole by Great Circle Arc to the intersection of parallel 65°30′ north with the international boundary in Bering Strait; thence by Great Circle Arc to the intersection of meridian 165° east of Greenwich and parallel 50° north; thence by Great Circle Arc to the intersection of meridian 170° west and parallel 10° north; thence along parallel 10° north to its intersection with meridian 120° west; thence along meridian 120° west to the South Pole.

(3) Notice of such operation, in accordance with the provisions of § 97.97, shall be given to the Engineer in Charge of the district having jurisdiction of the authorized fixed transmitter location.

§ 97.97 Notice of operation away from authorized location.

Whenever an amateur station is, or is likely to be operated for a period in excess of 48 hours away from the fixed transmitter location specified on the station license without return thereto, the licensee shall give advance written notice of such operation to the Commission office or offices specified in § 97.95 or § 97.99. A new notice is required whenever there is any change in the particulars of a previous notice or whenever operation away from the authorized station continues for a period in excess of one year. The notice required by this section shall contain the following specific information:

(a) Name of licensee.

(b) Station call sign.

(c) Authorized fixed transmitter location.

(d) Portable location(s), or mobile itinerary as specifically as possible, or temporary fixed transmitter location, or new permanent fixed transmitter location.

(e) The dates of the beginning and end of each period of operation away from the location specified in the station license.

(f) The address at which, or through which, the licensee can be readily reached.

(g) In the case of mobile operation, the official name, registry number or license number (including the name of the issuing state or territory, if any) of the aircraft, vessel, or land vehicle in which the mobile station is installed and operated.

§ 97.99 Special requirements for nonportable stations.

(a) An amateur station that has been moved from the authorized permanent location to another permanent location may be operated for a period not exceeding four consecutive months at the latter location, but in no event beyond the expiration of the license unless timely application for renewal thereof has been filed in accordance with the provisions of § 97.47 under the following conditions:

(1) Advance notice, in accordance with the provisions of § 97.97, shall be given to the Engineer in Charge of the radio district in which operation is intended; and

(2) Formal application for modification to change the permanent location shall be filed with the Commission within the above specified four-month period.

(b) The licensee of an amateur station who changes residence temporarily, but retains a permanent residence associated with the fixed transmitter location designated in the station license, and moves his amateur station to a temporary location associated with his temporary residence, or the licensee-trustee for an amateur radio society which changes the normal location of its amateur station to a different and temporary location, may operate the station at such temporary location under the condition that: Notice, in accordance with the provisions of § 97.97, shall be given to the Secretary of the Commission, Washington, D.C., 20554, and to the Engineer in Charge of the radio district in which temporary operation is intended.

(c) When the station is operated under the provisions of this section, the portable identification procedures specified in § 97.87 shall be used.

§ 97.101 Special provisions for mobile stations aboard ships or aircraft.

In addition to complying with all other applicable rules, an amateur mobile station operated on board a ship or aircraft must comply with all of the following special conditions: (a) The installation and operation of the amateur mobile station shall be approved by the master of the ship or captain of the aircraft; (b) The amateur mobile station shall be separate from and independent of all other radio equipment, if any, installed on board the same ship or aircraft; (c) The electrical installation of the amateur mobile station shall be in accord with the rules applicable to ships or aircraft as promulgated by the appropriate government agency; (d) The operation of the amateur mobile station shall not interfere with the efficient operation of any other radio equipment installed on board the same ship or aircraft; and (e) The amateur mobile station and its associated equipment, either in itself or in its method of operation, shall not constitute a hazard to the safety of life or property.

LOGS

§ 97.103 Station log requirements.

Each licensee of an amateur station shall keep an accurate log of station operation, which shall include the following:

(a) The date and time of each transmission, except that for a period of continuous mobile operation the time of each transmission may be omitted, provided that the dates and times of commencing and terminating such mobile operations are entered in the log.

(The date need only be entered once for each day's operation. The expression "time of each transmission" means the time of making a call and need not be repeated during the sequence of communication which immediately follows; however, an entry shall be made in the log when signing off so as to show the period during which communication was carried on.)

(b) The signature of each licensed operator who manipulates the key of a radiotelegraph transmitter; the signature of each licensed operator who operates a transmitter of any other type; and the name of any person not holding an amateur operator license who either directly or by recording transmits by voice over a radiotelephone transmitter or operates a teleprinter keying a radiotelegraph transmitter. (The signature of the operator need only be entered once in the log, in those cases when all transmissions are made by or under the supervision of the signatory operator, provided a statement to that effect also is entered. The signature of any other operator who operated the station shall be entered in the proper space for that operator's transmission.)

(c) Call sign of the station called. (This entry need not be repeated for calls made to the same station during any sequence of communication, provided the time of signing off is given.)

(d) The input power to the oscillator, or to the final amplifier stage where an oscillator-amplifier transmitter is employed. (This need be entered only once, provided that input power is not changed.)

(e) The frequency band used. (This information need be entered only once in the log for all transmissions until there is a change in frequency to another amateur band.)

(f) The type of emission used. (This need be entered only once until there is a change in the type of emission.)

(g) The location of the station (or the approximate geographical location of a mobile station) at the time of each transmission. (This need be entered only once provided the location of the station is not changed. However, suitable entry shall be made in the log upon changing the location. Where operating at other than a fixed location, the type and identity of the vehicle or other mobile unit in which the station is operated shall be shown.)

(h) The message traffic handled. (If record communications are handled in regular message form, a copy of each message sent and received shall be entered in the log or retained on file at the station for at least 1 year.)

§ 97.105 Retention of logs.

The log shall be preserved for a period of at least 1 year following the last date of entry. The copies of record communications and station log required by § 97.103 shall be available for inspection by authorized representatives of the Commission.

EMERGENCY OPERATIONS

§ 97.107 Operation in emergencies.

In the event of an emergency disrupting normally available communication facilities in any widespread area or areas, the Commission, in its discretion, may declare that a general state of communications emergency exists, designate the area or areas concerned, and specify the amateur frequency bands, or segments of such bands, for use only by amateurs participating in emergency communication within or with such affected area or areas. Amateurs desiring to request the declaration of such a state of emergency should communicate with the Commission's Engineer in Charge of the area concerned. Whenever such declaration has been made, operation of and with amateur stations in the area concerned shall be only in accordance with the requirements set forth in this section, but such requirements shall in nowise affect other normal amateur communication in the affected area when conducted on frequencies not designated for emergency operation.

(a) All transmissions within all designated amateur emergency communication bands other than communications relating directly to relief work, emergency service, or the establishment and maintenance of efficient amateur radio networks for the handling of such communications shall be suspended. Incidental calling, answering, testing or working (including casual conversation, remarks or messages) not pertinent to constructive handling of the emergency situation shall be prohibited within these bands.

(b) The Commission may designate certain amateur stations to assist in the promulgation of information relating to the declaration of a general state of communications emergency, to monitor the designated amateur emergency communications bands, and to warn non-complying stations observed to be operating in those bands. Such station, when so designated, may transmit for that purpose on any frequency or frequencies authorized to be used by that station, provided such transmissions do not interfere with essential emergency communications in progress; however, such transmissions shall preferably be made on authorized frequencies immediately adjacent to those segments of the amateur bands being cleared for the emergency. Individual transmissions for the purpose of advising other stations of the existence of the communications emergency shall refer to this section by number (§ 97.107) and shall specify, briefly and concisely, the date of the Commission's declaration, the area and nature of the emergency, and the amateur frequency bands or segments of such bands which constitute the amateur emergency communications bands at the time. The designated stations shall not enter into discussions with other stations beyond furnishing essential facts relative to the emergency, or acting as advisors to stations desiring to assist in the emergency, and the operators of such designated stations shall report fully to the Commission the identity

of any stations failing to comply, after notice, with any of the pertinent provisions of this section.

(c) The special conditions imposed under the provisions of this section shall cease to apply only after the Commission, or its authorized representative, shall have declared such general state of communications emergency to be terminated: however, nothing in this paragraph shall be deemed to prevent the Commission from modifying the terms of its declaration from time to time as may be necessary during the period of a communications emergency, or from removing those conditions with respect to any amateur frequency band or segment of such band which no longer appears essential to the conduct of the emergency communications.

SUBPART E—PROHIBITED PRACTICES AND ADMINISTRATIVE SANCTIONS

PROHIBITED TRANSMISSIONS AND PRACTICES

§ 97.111 No remuneration for use of station.

An amateur station shall not be used to transmit or receive messages for hire, nor for communication for material compensation, direct or indirect, paid or promised.

§ 97.113 Broadcasting prohibited.

Subject to the provisions of § 97.91, an amateur station shall not be used to engage in any form of broadcasting, that is, the dissemination of radio communications intended to be received by the public directly or by the intermediary of relay stations, nor for the retransmission by automatic means of programs or signals emanating from any class of station other than amateur. The foregoing provisions shall not be construed to prohibit amateur operators from giving their consent to the rebroadcast by broadcast stations of the transmissions of their amateur stations, provided, that the transmissions of the amateur stations shall not contain any direct or indirect reference to the rebroadcast.

§ 97.115 Music prohibited.

The transmission of music by an amateur station is forbidden.

§ 97.117 Codes and ciphers prohibited.

The transmission by radio of messages in codes or ciphers in domestic and international communications to or between amateur stations is prohibited. All communications regardless of type of emission employed shall be in plain language except that generally recognized abbreviations established by regulation or custom and usage are permissible as are any other abbreviations or signals where the intent is not to obscure the meaning but only to facilitate communications.

§ 97.119 Obscenity, indecency, profanity.

No licensed radio operator or other person shall transmit communications containing obscene, indecent, or profane words, language, or meaning.

§ 97.121 False signals.

No licensed radio operator shall transmit false or deceptive signals or communications by radio, or any call letter or signal which has not been assigned by proper authority to the radio station he is operating.

§ 97.123 Unidentified communications.

No licensed radio operator shall transmit unidentified radio communications or signals.

§ 97.125 Interference.

No licensed radio operator shall willfully or maliciously interfere with or cause interference to any radio communication or signal.

§ 97.127 Damage to apparatus.

No licensed radio operator shall willfully damage, or cause or permit to be damaged, any radio apparatus or installation in any licensed radio station.

§ 97.129 Fraudulent licenses.

No licensed radio operator or other person shall obtain or attempt to obtain, or assist another to obtain or attempt to obtain, an operator license by fraudulent means.

ADMINISTRATIVE SANCTIONS

§ 97.131 Restricted operation.

(a) If the operation of an amateur station causes general interference to the reception of transmissions from stations operating in the domestic broadcast service when receivers of good engineering design including adequate selectivity characteristics are used to receive such transmissions and this fact is made known to the amateur station licensee, the amateur station shall not be operated during the hours from 8 p.m. to 10:30 p.m., local time, and on Sunday for the additional period from 10:30 a.m. until 1 p.m., local time, upon the frequency or frequencies used when the interference is created.

(b) In general, such steps as may be necessary to minimize interference to stations operating in other services may be required after investigation by the Commission.

§ 97.133 Second notice of same violation.

In every case where an amateur station licensee is cited within a period of 12 consecutive months for the second violation of the provisions of §§ 97.61, 97.63, 97.65, 97.71, or 97.73, the station licensee, if directed to do so by the Commission, shall not operate the station and shall not permit it to be operated from 6 p.m. to 10:30 p.m., local time, until written notice has been received authorizing the resumption of full-time operation. This notice will not be issued until the licensee has reported on the results of tests which he has conducted with at least two other amateur stations at hours other than 6 p.m. to 10:30 p.m., local time. Such tests are to be made for the specific purpose of aiding the licensee in determining whether the emissions of the station are in accordance with the Commission's rules. The licensee shall report to the

Commission the observations made by the cooperating amateur licensees in relation to the reported violations. This report shall include a statement as to the corrective measures taken to insure compliance with the rules.

§ 97.135 Third notice of same violation.

In every case where an amateur station licensee is cited within a period of 12 consecutive months for the third violation of §§ 97.61, 97.63, 97.65, 97.71, or 97.73, the station licensee if directed by the Commission, shall not operate the station and shall not permit it to be operated from 8 a.m. to 12 midnight, local time, except for the purposes of transmitting a prearranged test to be observed by a monitoring station of the Commission to be designated in each particular case. The station shall not be permitted to resume operation during these hours until the licensee is authorized by the Commission, following the test, to resume full-time operation. The results of the test and the licensee's record shall be considered in determining the advisability of suspending the operator license or revoking the station license, or both.

§ 97.137 Answers to notices of violations.

Any licensee receiving official notice of a violation of the terms of the Communications Act of 1934, as amended, any legislative act, Executive order, treaty to which the United States is a party, or the rules and regulations of the Federal Communications Commission, shall, within 10 days from such receipt, send a written answer direct to the office of the Commission originating the official notice: *Provided, however,* That if an answer cannot be sent or an acknowledgment made within such 10-day period by reason of illness or other unavoidable circumstances, acknowledgment and answer shall be made at the earliest practicable date with a satisfactory explanation of the delay. The answer to each notice shall be complete in itself and shall not be abbreviated by reference to other communications or answers to other notices. If the notice relates to some violation that may be due to the physical or electrical characteristics of transmitting apparatus, the answer shall state fully what steps, if any, are taken to prevent future violations, and if any new apparatus is to be installed, the date such apparatus was ordered, the name of the manufacturer, and promised date of delivery. If the notice of violation relates to some lack of attention or improper operation of the transmitter, the name of the operator in charge shall be given.

§§ 97.139–97.143 [DELETED]

[*§§ 97.139–97.143 Deleted eff. 9–1–67; VI(66)–3*]

SUBPART F—RADIO AMATEUR CIVIL EMERGENCY SERVICE (RACES)

GENERAL

§ 97.161 Nature of this service.

(a) The Radio Amateur Civil Emergency Service provides for amateur radio operation for civil defense communications purposes only, during periods of local, regional or national civil emergencies, including any emergency which may necessitate invoking of the President's War Emergency Powers under the provisions of Section 606 of the Communications Act of 1934, as amended.

(b) Pursuant to the provisions of section 4(j) of the Communications Act of 1934, as amended, records relating to the Radio Amateur Civil Emergency Service shall not be open to general public inspection.

§ 97.163 Definitions.

For the purposes of this subpart, the following definitions are applicable:

(a) *Radio Amateur Civil Emergency Service.* A radiocommunication service carried on by licensed amateur radio stations while operating on specifically designated segments of the regularly allocated amateur frequency bands under the direction of authorized local, regional or federal civil defense officials pursuant to an approved civil defense communications plan.

(b) *Radio Amateur Civil Emergency Station.* An amateur radio station which is authorized to operate in the Radio Amateur Civil Emergency Service for the purpose of transmitting and receiving civil defense communications.

(c) *Civil defense communications.* Communications or signals essential to the conduct of civil defense activities of duly authorized civil defense organizations, including communications directly concerning safety of life, preservation of property, maintenance of law and order, alleviation of human suffering and need and dissemination of warnings of enemy attack to the civilian population in case of actual or impending armed attack or in any disaster or other incident endangering the public welfare. Such communications may also include transmissions necessary to establishment and maintenance of the radio system and communications essential to the training of civil defense personnel.

(d) *Civil defense authority.* The legally appointed Director of Civil Defense, or his authorized alternate or representative, for the particular geographical area (city, county, etc.) which a proposed radio station is intended to serve, and who is responsible to local governmental authority for protection and aid to the civilian population in the event of armed attack or of any disaster or other incident endangering public safety.

(e) *Civil Defense Communications Officer.* The official of any duly constituted civil defense organization having direct responsibility under the Director of that organization for the provision, organization, maintenance, readiness, and utilization of all means of

communication to be used by such civil defense organization in the performance of its lawful functions.

(f) *Civil Defense Radio Officer.* The duly designated official of a legally constituted civil defense organization who is directly responsible either to the Communications Officer or to the Director of such civil defense organization for the provision, organization, maintenance, readiness, and utilization of radio communications facilities for civil defense use.

(g) *Radio Amateur Civil Emergency Network.* All radio amateur civil emergency stations intended to be included in the civil defense communications plan of the area concerned and which operate, or are to operate, in conjunction with a single control station. Such network may be made up of several separately authorized radio amateur civil emergency stations or units of such stations, or may be made up of several units of the same station operated at different locations. In addition, the same radio amateur civil emergency station or any unit of such station may be a part of more than one network; e.g., the control station of one network may also be the control station or a member station of another network operated in conjunction therewith.

(h) *Net control station.* Any authorized Radio Amateur Civil Emergency Station unit designated by the civil defense radio officer, with the approval of the Director of Civil Defense or the Civil Defense Communications Officer, to direct the use and operation of other station units of the same Radio Amateur Civil Emergency Network.

(i) *Civil defense communications plan.* The plan under which communications facilities are provided to all branches and phases of the civil defense organization in the area concerned and for all of its activities. Such plan may be drawn up in accordance with the needs of the particular area affected and the facilities, including licensed radio operators and stations, available in that particular area. Plans need not be uniform, but to be acceptable to the Commission they must comply with the following:

(1) The plan must be clearly described in writing, and it may include diagrams and sketches. It must include a general description of the facilities and personnel available to provide communications for civil defense purposes and the expected usage to be made thereof.

(2) The plan must have been approved by the state and federal civil defense authorities having jurisdiction of the area affected.

(3) The plan must include the name, address, official title, and a statement of the qualifications of the Civil Defense Radio Officer (and of any and all alternate Radio Officers) responsible for the organization, training, and utilization of the radio amateur civil emergency station networks under that plan, and the name, address, and official title of the civil defense official responsible for the coordination of all civil defense activities of the area concerned.

(4) The plan must include a general description of each radio amateur civil emergency station network under the jurisdiction of each respective Civil Defense Radio Officer, showing location of fixed installations, purpose, area of activity to be served, an estimate of the number of radio amateur stations and independent operating units of such stations intended to be used in the network, and a description, including the location and call sign, of its control station and any alternate control station or stations.

(5) The plan must include a general statement as to the frequency bands to be used by the radio amateur civil emergency station networks and the approximate number of stations, or units of such stations, to be operated in each such band, together with a description of the method which has been adopted for liaison and coordination of frequency usage with other similar networks in the same and adjacent areas.

(6) The plan must include a statement setting forth the facilities available to the area and the procedures to be followed in determining the loyalty and general reliability of all civil defense Radio Officers, amateur radio station licensees and radio operators intended to be utilized in the implementation of that plan. (See §§ 97.173(b), 97.175(c), and 97.203(a).)

§ 97.165 Applicability of rules governing amateur radio stations and operators.

In all cases not specifically covered by the regulations contained in this subpart, licensed amateur stations authorized to be operated in the Radio Amateur Civil Emergency Service shall be governed by the provisions of the rules governing amateur radio stations and operators (Subparts A through E of this part) which are not in conflict herewith. In any case of conflict, the rules governing the Radio Amateur Civil Emergency Service shall govern in respect to any station operated in that service.

ORGANIZATION

§ 97.167 Organization of networks.

To supplement or extend other means of communication available to the civil defense organization or to provide necessary communications for which no other means exist, local radio amateur civil emergency station networks shall be organized by the civil defense authority of the area concerned and under the immediate direction of the Civil Defense Radio Officer. Such networks shall include all licensed amateur radio stations which are intended to be included in the civil defense communications plan of the area concerned. In any particular area there may be several such networks and each network may be independent of the others. Whenever there is more than one network in the same area, all such networks must share, under a single civil defense communications plan, the available frequencies in an efficient and orderly manner. The various networks in adjacent areas shall establish proper liaison and a description of the arrangements

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made shall become a part of their respective civil defense communications plans. Such arrangements shall provide for the efficient sharing of frequencies, plans for operating procedure designed to avoid mutual interference, and the exchange of communications facilities upon an inter-area basis where need for such exchange may arise.

§ 97.169 Approval of civil defense communications plans.

(a) All civil defense communications plans which provide for the utilization of radio amateur civil emergency stations for civil defense purposes must be submitted to and approved by the responsible state (or territorial) and federal civil defense authorities before the licensed amateur stations intended to be used will be authorized to operate in the radio amateur civil emergency service.

(b) Material changes or modifications in such civil defense communications plans which alter the basic information required shall be submitted for approval in the same manner as the original plans.

(c) Written certification of approval by the competent state and federal civil defense authorities of each civil defense communications plan, or of any changes or modifications thereof, shall accompany the copies of such plans, changes, or modifications which are submitted to the Commission in accordance with the provisions of this part.

§ 97.171 Certification of Civil Defense Radio Officer.

(a) Certification of the Civil Defense Radio Officer shall be made on FCC Form 482. Such form shall be executed by the civil defense authority responsible for the coordination of all civil defense activities of the area concerned and show:

(1) The name, address, and area of responsibility of such civil defense radio officer,

(2) statement by him that he has accepted such appointment and agrees to perform faithfully the duties of that office, including those prescribed by this subpart,

(3) a certification by the responsible civil defense authority that he has satisfied himself that the named civil defense radio officer is fully qualified in accordance with the provisions of § 97.173, and

(4) the effective date of the appointment of the civil defense radio officer and the name of any previous civil defense radio officer whose appointment is terminated.

(b) FCC Form 482, when completed in accordance with this section, shall be forwarded to the Commission via the responsible state and federal civil defense officials whose approval (or disapproval) shall be clearly indicated on the form.

§ 97.173 Qualifications of Civil Defense Radio Officer.

No person shall be considered qualified as a Civil Defense Radio Officer until he shall have been found to satisfy the following minimum requirements:

(a) He shall hold either (1) a valid commercial radio operator's license of either first or second class (radiotelegraph or radiotelephone) issued by the Commission, or (2) a valid amateur operator license issued by the Commission, other than the Technician or Novice Class.

(b) A determination shall have been made as to his loyalty to the United States and his general reliability, in accordance with the procedures provided in the approved civil defense communications plan of the area concerned.

(c) It shall have been determined that his technical and administrative qualifications are adequate for the proper performance of his duties.

§ 97.175 Duties of Civil Defense Radio Officer.

The duties of the Civil Defense Radio Officer shall include among such other duties as may be assigned or as may be required in accordance with the provisions of this subpart.

(a) The direction and supervision of all radio stations forming the radio amateur civil emergency networks in accordance with the approved civil defense communications plan for the area involved.

(b) Provision for adequate monitoring of all transmissions of the stations under his supervision to assure compliance with the rules and regulations of the Commission, and to guard against improper use of the radio stations and intentional or inadvertent transmissions which might jeopardize the defense or security of the United States.

(c) The recommendation to the Commission for the granting of authorizations to individual amateurs for operation in this service, and certification to the Commission as to the loyalty to the United States and reliability of such individuals and the certification required in accordance with § 97.181.

(d) The recommendation to the Commission for cancellation of any authorization previously recommended or certified whenever subsequent investigation or circumstances indicate that the original recommendation or certification should not have been made.

STATION AUTHORIZATIONS

§ 97.177 Station authorization required.

No radio station may be operated in the Radio Amateur Civil Emergency Service except pursuant to an authorization for such operation issued by the Federal Communications Commission.

§ 97.179 Eligibility for station authorization.

An authorization to operate a station in the Radio Amateur Civil Emergency Service will be issued only to a person who holds an amateur radio operator license, other than Technician or Novice Class, and an appropriate amateur radio station license.

§ 97.181 Filing of application.

Each application for a station authorization or for renewal thereof shall be submitted on FCC Form 481–1, signed by the applicant and countersigned by

the appropriate Civil Defense Radio Officer, who shall certify to the following:

(a) That the applicant has satisfied all requirements (both local and federal) for participation in the civil defense organization and is actually enrolled as a member of the local organization which serves the area where the station will operate.

(b) That the amateur station licensed in the name of the applicant has been approved for and, when authorized by the Commission, will actually constitute a unit of a civil defense communications network in accordance with an approved civil defense communications plan or amendment thereof.

§ 97.183 Additional data required.

Each application for a station authorization in the Radio Amateur Civil Emergency Service shall be accompanied by the following data unless such material has already been submitted to the Commission, in which case the application shall clearly identify the material previously submitted:

(a) A copy of the approved communications plan (as defined in this part) for the civil defense communications network in which the station will operate, together with a copy of each approved amendment, change or modification of that plan.

(b) The official certification of the Civil Defense Radio Officer as provided in this subpart.

§ 97.185 Single application for all equipment under one amateur station license.

Only one application need be filed for any one amateur station, including all transmitting equipment under the control of the licensee of that station, even though individual units of such station are capable of being operated and are intended to be operated independently at different locations, or as portable or mobile stations with no fixed locations. No distinction need be made between those units which are personally owned by the amateur station licensee and those units which are otherwise under his technical control for operation in this service.

§ 97.187 Issuance of station authorization.

An authorization to operate in this service will be issued in the discretion of the Commission upon satisfactory completion of all requirements of this subpart and proper certification that the requirements of the civil defense organization for which the station will be used have been or are being complied with. The station authorization (Form 481–3) will be forwarded to the Civil Defense Radio Officer for delivery to the applicant. Such authorization will be accompanied by a stub (Form 481–2) which may be retained by the civil defense radio officer for his records.

§ 97.189 Term of station authorization.

(a) Authorization to operate an amateur station in the Radio Amateur Civil Emergency Service will be issued for a term running concurrently with the term of the amateur radio station license. Application for renewal of such authorization shall be filed concurrently with application for renewal of the basic amateur radio station license.

(b) Whenever, under rules contained in Subparts A through E of this part, modification of the basic amateur station license becomes necessary, if such modification affects the information submitted with the original application for authorization in the Radio Amateur Civil Emergency Service, application for modification of the Radio Amateur Civil Emergency service station authorization shall be submitted concurrently therewith.

(c) Nothing in this section shall be construed to alter the Commission's authority to cancel or amend a station authorization in the Radio Amateur Civil Emergency Service in accordance with the applicant's agreement as indicated on the initial application for station authorization.

§ 97.191 Cancellation of station authorization.

(a) Each authorization for operation in the Radio Amateur Civil Emergency Service shall be issued with the express provision that such authorization is subject to revocation or cancellation without hearing whenever, in the opinion of the Commission, the security of the United States or the proper functioning of the Radio Amateur Civil Emergency Service would be served thereby.

(b) The station authorization shall be submitted to the Commission (via the Civil Defense Radio Officer) for cancellation under the following circumstances:

(1) The station for which the authorization was issued becomes inactive for a period of three months or it is not planned to use the station in the radio amateur civil emergency network for a period of at least three months.

(2) The basic amateur radio station license of the station has expired and has not been renewed.

(3) In cases where the amateur radio station license and the radio amateur civil emergency station authorization have both been modified, the original authorization of the latter shall be submitted to the Commission immediately upon receipt by the licensee of a new or modified authorization.

TECHNICAL REQUIREMENTS

§ 97.193 Frequencies available.

(a) The following tabulation indicates the frequencies and frequency bands, within the regularly allocated amateur frequency bands, which are available for use by stations in the Radio Amateur Civil Emergency Service. These frequencies and frequency bands may be used, on a non-exclusive basis (stations authorized in the Amateur Radio Service may also, pursuant to the provisions of § 97.61, use these frequencies or frequency bands until such time as national conditions require discontinuance of regular amateur operations), by the classes of radio amateur civil emergency stations or

units of such stations indicated, and only with the types of emission shown in the right-hand column.

(1) For use only by authorized stations or units of such stations which are operated under the direct supervision of duly designated and responsible officials of the civil defense organization:

Frequency band:	*Authorized emission*
1800–1825 kc/s [1]	0.1A1, 1.1F1, 6A3
1975–2000 kc/s [1]	0.1A1, 1.1F1, 6A3
3500–3510 kc/s	0.1A1, 1.1F1
3990–4000 kc/s	0.1A1, 1.1F1, 6A3, 6F3

[1] Use of frequencies in the band 1800–2000 kc is subject to the priority of the Loran system of radionavigation in this band and to the geographical, frequency, emission, and power limitations contained in § 97.61 of the rules governing amateur radio stations and operators (Subparts A through E of this part). The use of these frequencies by stations authorized to be operated in the Radio Amateur Civil Emergency Service shall not be a bar to expansion of the radionavigation (Loran) service, and such use shall be considered temporary in the sense that it shall remain subject to cancellation or to revision, in whole or in part, without hearing, whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

(2) For use by all authorized stations only in the continental United States, except that, the bands 7245–7255 and 14.220–14.230 kc/s are also available in Alaska, Hawaii, Puerto Rico, and the Virgin Islands:

Frequency band:	*Authorized emission*
3510–3516 kc/s	0.1A1, 1.1F1,
3516–3550 kc/s [1]	0.1A1, 1.1F1,
3984–3990 kc/s	0.1A1, 1.1F1, 6A3, 6F3.
7097–7103 kc/s	0.1A1, 1.1F1,
7103–7125 kc/s [1]	0.1A1, 1.1F1,
7245–7255 kc/s [1]	0.1A1, 1.1F1, 6A3, 6F3.
14047–14053 kc/s	0.1A1, 1.1F1,
14220–14230 kc/s [1]	0.1A1, 1.1F1, 6A3, 6F3.
21047–21053 kc/s	0.1A1, 1.1F1,

[1] The availability of the frequency bands 3516–3550 kc/s, 7103–7125 kc/s, 7245–7247 kc/s, 7253–7255 kc/s, 1420–14222 kc/s and 14228–14230 kc/s for use during periods of actual civil defense emergency is limited to the initial 30 days of such emergency, unless otherwise ordered by the Commission.

(3) For use by all authorized stations:

Frequency or frequency bands:	*Authorized emission*
3997 kc/s [1]	0.1A1, 6A3.
28.55–28.75 Mc/s	0.1A1, 6A3, 6F3, 6A4.
29.45–29.65 Mc/s	0.1A1, 1.1F1, 6A3, 6A4, 40F3.
50.35–50.75 Mc/s	0.1A1, 6A2, 6F2, 6A3, 6F3, 6A4.
53.30 Mc/s [1]	40F3.
53.35–53.75 Mc/s	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.
145.17–145.71 Mc/s	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.
146.79–147.33 Mc/s	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.
220–225 Mc/s	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.

[1] For use in emergency areas when required to make initial contact with military units; also, for communication with military stations on matters requiring coordination.

(b) The selection and use of specific frequencies within the authorized frequency bands by stations in the Radio Amateur Civil Emergency Service shall be in accordance with a coordinated local area and adjacent area civil defense communications plan and applicable rules of this part.

(c) Except as provided in paragraph (d) of this section, at such time as any or all of these frequency bands are withdrawn from availability to stations operating in the Amateur Radio Service, such bands shall be jointly available to stations in the Radio Amateur Civil Emergency Service and to stations in the military services for training and tactical operations. At that time, in areas where interference might occur, local mutual arrangements shall be made regarding times of operation such as to preclude or satisfactorily alleviate interference. In time of actual civil defense emergency, stations in the Radio Amateur Civil Emergency Service shall have absolute priority.

(d) In the band 220 to 225 Mc/s, stations operating in the Radio Amateur Civil Emergency Service shall not at any time cause harmful interference to the government radiolocation service.

§ 97.195 Classification of emissions.

(a) For the purposes of this subpart, the authorized emissions, as contained in the table of § 97.193, are defined as follows:

0.1A1—Continuous wave telegraphy.
1.1F1—Frequency shift telegraphy.
6A2—Telegraphy amplitude modulated at audio frequency.
6F2—Telegraphy frequency modulated at audio frequency.
6A3—Commercial quality amplitude modulated telephony.
6F3—Narrow band frequency or phase modulated telephony.
40F3—Wide band frequency or phase modulated telephony.
6A4—Amplitude modulated facsimile.

(b) On frequencies where wide band frequency or phase modulated telephony (40F3) is authorized, narrow band frequency or phase modulated telephony (6F3) may also be employed; similarly, where commercial quality amplitude modulated telephony (6A3) is authorized, single or double sideband amplitude modulated telephony, with or without carrier or with reduced carrier, may also be employed.

§ 97.197 Transmitter power.

The transmitting equipment of a radio station in this service shall be adjusted in such manner as to produce the minimum radiation necessary to carry out the communications desired. No station operating in this service shall use a direct current plate power input to the vacuum tube or tubes supplying energy to the antenna in excess of that permitted to be used by a licensed amateur radio station when operated on the same frequencies or in the same frequency bands in accordance with the provisions of the rules governing amateur radio stations and operators (Subparts A through E of this part).

§ 97.199 Equipment requirements.

(a) Except under the conditions specified in paragraph (b) of this section, all stations authorized to be operated in the Radio Amateur Civil Emergency Service shall be capable of receiving on the same frequencies or frequency bands utilized for transmission

(b) When a station in this service is operated only on a single frequency or frequency band for cross-band operation in communication with a station or stations operating on another frequency or in another frequency band, or in other services, such station shall be capable of receiving the station with which it is communicating.

(c) The direct modulation of an oscillator with a frequency stability less than that obtainable with crystal control, or the radiation of a signal having simultaneous amplitude and frequency or phase modulation, is prohibited on frequencies below 220 Mc.

§ 97.201 Alleviation of harmful interference.

(a) When emissions of stations in the Radio Amateur Civil Emergency Service, other than those necessary to carry on the desired communications, cause harmful interference to stations in this or any other service, the Commission may, in its discretion, require appropriate technical changes in the equipment to alleviate the interference.

(b) When the emissions of stations in the Radio Amateur Civil Emergency Service that are necessary to carry on the desired communications cause harmful interference to stations in other radio services, appropriate action shall be taken to alleviate such interference including, if necessary, the suspension (except during times of an actual state of civil emergency) of such emissions as cause the interference.

OPERATING REQUIREMENTS

§ 97.203 Operator requirements.

(a) No person shall operate a station in the Radio Amateur Civil Emergency Service unless (1) that person holds a valid radio operator license of the proper grade, as described in this section, and (2) that person holds a valid written certification by the chief of the local, regional, or state Civil Defense organization of the area in which he serves that he has satisfied all federal, state, and local requirements for enrollment in the Civil Defense organization as a radio operator and is actually enrolled therein. Such certification shall clearly indicate that a determination has been made as to his loyalty to the United States and general reliability in accordance with the procedures described in the approved civil defense communications plan for the area concerned. (See §§ 97.163(i) and 97.169.)

(b) The person manipulating the key of a manually operated radiotelegraph transmitter of a station authorized to operate in this service shall hold either (1) any class of amateur operator license issued by the Commission, other than the Technician or Novice Class, or (2) any class of commercial radiotelegraph operator license issued by the Commission other than the Temporary Limited Radiotelegraph Second Class Operator License, together with the certification required in accordance with the provisions of paragraph (a) of this section.

(c) Except as specifically provided in paragraphs (a) and (b) of this section, any station in the Radio Amateur Civil Emergency Service may be operated by the holder of any class of amateur or commercial radio operator license issued by the Commission other than a Temporary Limited Radiotelegraph Second Class Operator License or an Aircraft Radiotelephone Operator Authorization: *Provided*, That, when such operation is performed by the holder of a Novice Class amateur operator license or by the holder of a commercial radiotelephone or radiotelegraph third class operator license or restricted operator permit; (1) such operator shall be prohibited from making any adjustments that may result in improper transmitter operation, (2) the equipment shall be so designed and installed that none of the operations necessary to be performed during the course of the normal rendition of the service of the station may cause off-frequency operation or result in any unauthorized radiation, and (3) any needed adjustments of the transmitter that may affect the proper operation of the station shall be regularly made by or under the immediate supervision and responsibility of the holder of either an amateur operator license other than the Novice Class or a commercial radiotelephone or radiotelegraph first or second class operator license.

(d) All adjustments or tests during or coincident with the installation, servicing or maintenance of the transmitting equipment of a station in this service shall be made only by or under the immediate supervision and responsibility of the holder of either (1) an amateur operator license other than the Novice Class or (2) a commercial radiotelephone or radiotelegraph first or second class operator license issued by the Commission, who in addition holds the certification required in accordance with the provisions of paragraph (a) of this section.

§ 97.205 Operation at other than licensed location.

A station in this service, or any unit thereof, may be operated at any location in accordance with the approved civil defense communications plan for the area concerned, in the discretion of and as directed by the Civil Defense Radio Officer, without notice to the Commission and without limitation as to the length of time within which such operation takes place: *Provided*, That nothing in this section shall be construed to waive the necessity for modification of the authorization of a station in this service when the address of the licensee or the basic location of the station is changed, or for any other reason where, because of a change of the communications plan or other reason, the information heretofore furnished the Commission with the original application may be materially altered or changed.

§ 97.207 Availability of station authorizations and operator licenses.

(a) The original station authorization permitting operation of the licensed amateur station in the Radio Amateur Civil Emergency Service, or a photocopy thereof, shall be permanently attached to each trans-

mitter of such station, including each transmitter which is capable of being operated and intended to be operated independently at different locations, if the transmitter is readily accessible, or, if the control position is located at a place other than the transmitter location, it may be posted at the control position: *Provided*, That, whenever a photocopy of the station authorization is utilized in compliance with the requirement of this paragraph, the original station authorization shall be made available for inspection upon reasonable request from any authorized representative of the Federal Government.

(b) The original radio operator license, or a verification card (FCC Form 758–F) in the case of the holder of a commercial radio operator license of the diploma type, of the operator controlling the emissions of a station authorized to be operated in this service together with the certification required by § 97.203(a), shall be carried on his person or kept immediately available at the place where he is operating the station or any independent unit of a station: *Provided*, That, whenever a verification card (FCC Form 758–F) is utilized in compliance with the requirement of this paragraph, the original operator license shall be made available for inspection upon reasonable request from an authorized representative of the Federal Government.

(c) When a licensed amateur station, or an independent unit of such station, is operated at a location other than that shown in its license in compliance with the provisions of this subpart, the basic amateur station license required by Subparts A through E of this part need not be readily available at the station or unit location, but shall be made available for inspection upon reasonable request from any authorized representative of the Federal Government.

§ 97.209 Radio station log.

(a) Except as otherwise expressly provided in this subpart, there shall be maintained at each radio amateur civil emergency station, or unit of such station, an accurate log of all operations. The following information shall be recorded in such station log:

(1) The name and address of the station licensee, the regularly assigned call sign of the station and unit number if any, the name of the radio amateur civil emergency network or networks in which the station is normally operated, and the d.c. plate power input to the vacuum tube or tubes supplying energy to the transmitting antenna system. This information need be entered only once in the log unless there is a change in any of the items specified in this subparagraph, but the original entry and each change shall show the date on which the entry was made.

(2) The date and time of beginning and end of each period during which the station was operated, the purpose of such operation, and the frequencies or bands of frequencies on which the operation took place.

(3) The call signs or other identification of all stations or units of such stations with which communications are established or attempted during such period of operation.

(4) The signature of the licensed operator on duty and in charge of the operation of the station or unit of such station during each period of operation, and the signature of each licensed operator who manipulated the key of any manually operated radiotelegraph transmitter of such station or unit. The signature of the operator shall be entered with the date and time at the beginning and end of each period during which he performed the foregoing duties, and at least once on each page additional to the first page, covering the period for which he was the responsible operator. The signatures of any additional operators who operate the transmitters(s) during the regular watch of another operator and details to indicate the periods during which they operated the transmitter(s) shall be entered in the proper form.

(5) Upon completion of each period of operation for any purpose, there shall be entered in the log a summary of such operation describing the nature thereof and, if message traffic or other record communications were exchanged with other stations, an estimate of the amount of such traffic handled together with a report on any unusual delays which were experienced in the delivery of such messages.

(6) There shall be no erasure, obliteration, or destruction of any part of the log of any station or station unit. Corrections shall be made by striking out the erroneous portion and initialing and dating the corrections.

(b) Mobile radio amateur civil emergency stations or station units, and portable radio amateur civil emergency stations or station units, where not being operated at pre-determined fixed locations, shall be exempt from the requirements of maintaining a log to the extent that the entries required under the preceding paragraph of this section are substantially contained in the log of another station or stations operating in the same radio amateur civil emergency networks. All stations or station units operating in accordance with the provisions of this subpart shall be exempt from the requirements concerning station logs contained in Subpart D of this part whenever it is shown that compliance with these requirements would interfere with the expeditious handling of civil defense communications or communication drills.

(c) The current portion of the log shall be kept at the location of the operating or control position of the station or unit. Other portions of the log shall be retained by the licensee for a period of one year, at a place determined by the civil defense Radio Officer to be appropriate and advisable: *Provided*, That the logs of a station in this service shall be made available for inspection upon reasonable request by any authorized representative of the Federal Government: *And provided further*, That those portions of any log covering operation of a station in this service in connection with any actual condition jeopardizing the

public safety or affecting the national defense or security shall not be destroyed unless prior approval for such destruction shall have been received from the Commission.

§ 97.211 Station identification.

(a) Stations operating in the Radio Amateur Civil Emergency Service shall identify themselves in the same manner and under the same conditions as prescribed in Subpart D of this Part, except that:

(1) Additional designators to indicate portable or mobile operation, or to indicate operation at a location other than that specified in the station license, shall not be used.

(2) When engaged in network operation, after a station or unit has been fully identified at least once, further identification by that station or unit may be accomplished by the use of abbreviated call signs or other distinctive signals prescribed by the civil defense Radio Officer in lieu of the call signs otherwise required to be transmitted by that station or unit. A record of such abbreviated call signs or other distinctive signals shall be maintained by the Radio Officer and shall be made available for inspection upon reasonable request by any authorized representative of the Federal Government.

(b) When two or more separate units of a station, which is authorized to be operated in the Radio Amateur Civil Emergency Service, are operated independently at different locations, each unit shall separately identify itself by the addition of a unit number at the end of its call sign. When transmitting by telegraphy such additional identification shall immediately follow the basic call sign and to avoid confusion with portable or mobile indicators, shall not be separated therefrom by the use of the "slant" or fraction bar, or other punctuation mark or symbol.

§ 97.213 Tactical call signs.

Stations operating in this service, and independent units of such stations, may be assigned tactical or secret call signs by the Commission or by competent civil defense authority, and may utilize such tactical call signs in lieu of the call signs appearing on the station licenses when such use is directed by competent civil defense authority: *Provided*, That a list of all such tactical call signs assigned stations under his direction shall be maintained by the civil defense Radio Officer and shall be made available for inspection upon reasonable request by any authorized representative of the Federal Government: *And provided further*, That when such tactical call signs are intended to be used at times other than during communications in connection with actual or impending conditions which appear to jeopardize the defense or security of the United States, a list of such tactical call signs and the stations or units to which assigned shall be furnished the Commission prior to such use.

Use of Stations

§ 97.215 Limitations on use of stations.

(a) No station authorized to be operated in this service other than a control station as defined in this subpart, shall be operated for the purpose of transmitting any signal, message, or other communications except with the permission and under the operational control of the control station of the network in which it is operating: *Provided*, That nothing in the foregoing shall be construed to prohibit the transmission by any station or unit of a station of such signals as may be necessary for the purpose of alerting or making contact with the control station of the network, or for the purpose of transmitting actual emergency civil defense communications if the control station is disabled or is otherwise inoperative.

(b) Nothing in this section shall be construed to prevent the operation of a station which is authorized to be operated in this service for the purpose of brief tests or adjustments during or coincident with the installation, servicing or maintenance of such station: *Provided*, That the transmissions of that station during such tests or adjustments shall not cause harmful interference to the conduct of communications by any other station.

(c) No station in this service shall be used to transmit or to receive messages for hire, nor to transmit communications for material compensation, direct or indirect, paid or promised.

§ 97.217 Hours of operation.

Stations in this service may be operated at such times and under such conditions as may be prescribed by the Communications Officer or other responsible official of the civil defense organization having jurisdiction over the area which the station will serve: *Provided*, That the communications of such stations shall at all times be in accordance with the permissible communications authorized in this subpart.

§ 97.219 Points of communication.

Stations in this service may communicate with each other, with stations in the Disaster Communications Service, and with stations of the United States Government which are authorized to exchange communications with stations in this service by the particular agency having control. In addition, stations in this service may communicate, for the purpose of exchanging civil defense communications, with any other station in any service provided by the Commission's rules, whenever such station is authorized to communicate with stations in the Radio Amateur Civil Emergency Service by the provisions of the Commission's rules governing the class of station concerned or in accordance with the provisions of § 2.405 of this chapter.

§ 97.221 Permissible communications.

Stations in this service are authorized to transmit

only the following types of civil defense communications:

(a) Communications for training purposes consisting of necessary drills and tests to insure establishment and maintenance of orderly and efficient operation of the radio amateur civil emergency networks and such other radio stations and networks as may be associated therewith for the conduct of civil defense communications, including communications directly concerned with the conduct of practice alerts, practice blackouts, practice mobilization, and other comparable situations as may be ordered or initiated by competent civil defense authority or by the United States governmental or military authority charged with the defense of the area concerned. All messages which are transmitted in connection with such drills, exercises and tests shall be clearly identified as such by use of any one of the words "Drill" or "Exercise" or "Test" in the body of such messages.

(b) Communications when there is an impending or actual condition jeopardizing the public safety or affecting the national defense or security:

(1) Communications directly concerning the activation of the radio amateur civil emergency station networks or such other radio stations and networks as may be associated with the networks for the conduct of civil defense communications.

(2) Communications directly concerning the conduct of service by the radio amateur civil emergency networks and such other radio stations and networks as may be associated therewith.

(3) Communications directly concerning safety of life, preservation of property, maintenance of law and order, alleviation of human suffering and need, and combating of armed attack or sabotage.

(4) Communications directly concerning the accumulation and dissemination of public information or instructions to the civilian population essential to the activities of the civil defense organization or that of other authorized governmental or relief agencies.

(5) Communications directly concerning the transaction of business essential to public welfare.

§ 97.223 Use of codes and ciphers.

Any station in this service is authorized to transmit messages in codes and ciphers and to utilize any method of secret or coded authentication of its transmissions when such method of concealing the contents of messages or such authentication procedure is prescribed by the competent civil defense authority of the area served by the station and is approved by the cognizant federal civil defense authorities.

§ 97.225 Priority of communications.

The order of priority of communications by stations in this service, when there is an impending or actual condition jeopardizing the public safety or affecting the defense or security of an area, shall be determined by the cognizant civil defense authority of the area concerned or his authorized representative.

§ 97.227 Operating procedure.

The operating procedure, and the method of circuit control by the control station of each network, shall be determined by the responsible civil defense authority of the area concerned and shall, in general, conform as nearly as possible to the operating procedure normally followed in other services in the expeditious handling of message traffic by the method of transmission in use.

Subpart G—Operation of Amateur Radio Stations in the United States by Aliens

§ 97.301 Basis, purpose, and scope.

(a) The rules in this subpart are based on, and are applicable solely to, alien amateur operations pursuant to section 303(1)(2) and 310(a) of the Communications Act of 1934, as amended. (See Public Law 88–313, 78 Stat. 202.)

(b) The purpose of this subpart is to implement Public Law 88–313 by prescribing the rules under which an alien, who holds an amateur operator and station license issued by his government (hereafter referred to as an alien amateur), may operate an amateur radio station in the United States, in its possessions, and in the Commonwealth of Puerto Rico (hereafter referred to only as the United States).

§ 97.303 Permit required.

(a) Before he may operate an amateur radio station in the United States, under the provisions of sections 303(1)(2) and 310(a) of the Communications Act of 1934, as amended, an alien amateur licensee must obtain a permit for such operation from the Federal Communications Commission. A permit for such operation shall be issued only to an alien holding a valid amateur operator and station authorization from his government, and only when there is in effect a bilateral agreement between the United States and that government for such operation on a reciprocal basis by United States amateur radio operators.

§ 97.305 Application for permit.

(a) Application for a permit shall be made on FCC Form 610–A. Form 610–A may be obtained from the Commission's Washington, D.C., office, from any of the Commission's field offices and, in some instances, from United States missions abroad.

(b) The application form shall be completed in full in English and signed by the applicant. A photocopy of the applicant's amateur operator and station license issued by his government shall be filed with the application. The Commission may require the applicant to furnish additional information. The application must be filed by mail or in person with the Federal Communications Commission, Washington, D.C., 20554, U.S.A. To allow sufficient time for processing, the application should be filed at least 60 days before the date on which the applicant desires to commence operation.

§ 97.307 Issuance of permit.

(a) The Commission may issue a permit to an alien amateur under such terms and conditions as it deems appropriate. If a change in the terms of a permit is desired, an application for modification of the permit is required. If operation beyond the expiration date of a permit is desired, an application for renewal of the permit is required. Application for modification or for renewal of a permit shall be filed on FCC Form 610–A.

(b) The Commission, in its discretion, may deny any application for a permit under this subpart. If an application is denied, the applicant will be notified by letter. The applicant may, within 90 days of the mailing of such letter, request the Commission to reconsider its action.

(c) Normally, a permit will be issued to expire 1 year after issuance but in no event after the expiration of the license issued to the alien amateur by his government.

§ 97.309 Modification, suspension, or cancellation of permit.

At any time the Commission may, in its discretion, modify, suspend, or cancel any permit issued under this subpart. In this event, the permittee will be notified of the Commission's action by letter mailed to his mailing address in the United States and the permittee shall comply immediately. A permittee may, within 90 days of the mailing of such letter, request the Commission to reconsider its action. The filing of a request for reconsideration shall not stay the effectiveness of that action, but the Commission may stay its action on its own motion.

§ 97.311 Operating conditions.

(a) The alien amateur may not under any circumstances begin operation until he has received a permit issued by the Commission.

(b) Operation of an amateur station by an alien amateur under a permit issued by the Commission must comply with all of the following:

(1) The terms of the bilateral agreement between the alien amateur's government and the government of the United States;

(2) The provisions of this subpart and of Subparts A through E of this part;

(3) The operating terms and conditions of the license issued to the alien amateur by his government; and

(4) Any further conditions specified on the permit issued by the Commission.

(c) An alien amateur may operate on dates, at locations, or via an itinerary, significantly different from that specified in the application for his permit only under the condition that he has given advance notice of the particulars of such operation to the Commission in accordance with the requirements of § 97.95(a) or § 97.99(b).

§ 97.313 Station identification.

(a) The alien amateur shall identify his station as follows:

(1) Radio telegraph operation: The amateur shall transmit the call sign issued to him by the licensing country followed by a slant (/) sign and the United States amateur call sign prefix letter(s) and number appropriate to the location of his station.

(2) Radiotelephone operation: The amateur shall transmit the call sign issued to him by the licensing country followed by the words "fixed", "portable" or "mobile", as appropriate, and the United States amateur call sign prefix letter(s) and number appropriate to the location of his station. The identification shall be made in the English language.

(b) At least once during each contact with another amateur station, the alien amateur shall indicate, in English, the geographical location of his station as nearly as possible by city and State, commonwealth, or possession.

APPENDICES

APPENDIX 1

EXAMINATION POINTS

Examinations for amateur radio operator licenses are conducted at the Commission's office in Washington, D.C., and at each field office of the Commission on the days designated by the Engineer in Charge of the office. Specific dates should be obtained from the Engineer in Charge of the nearest field office of the Commission.

Examinations are also given frequently, by appointment, at the Commission's offices at the following points:

Anchorage, Alaska.
Beaumont, Tex.
Gettysburg, Pa.
Mobile, Ala.
San Diego, Calif.
Savannah, Ga.
Tampa, Fla.

Examinations are also given at greater intervals at the places named below, which are visited for that purpose by Commission examiners from the field offices for such locations. For current schedules, exact time, place, and other details, inquiry should be addressed to the office conducting examinations at the chosen point.

QUARTERLY POINTS

Birmingham, Ala.
Charleston, W. Va.
Cincinnati, Ohio.
Cleveland, Ohio.
Columbus, Ohio.
Corpus Christi, Tex.
Davenport, Iowa.
Des Moines, Iowa.
Fort Wayne, Ind.
Fresno, Calif.
Grand Rapids, Mich.
Indianapolis, Ind.
Knoxville, Tenn.
Little Rock, Ark.
Louisville, Ky.
Memphis, Tenn.
Milwaukee, Wis.
Nashville, Tenn.
Oklahoma City, Okla.
Omaha, Nebr.
Phoenix, Ariz.
Pittsburgh, Pa.
St. Louis, Mo.
Salt Lake City, Utah.
San Antonio, Tex.
Schenectady, N.Y.
Sioux Falls, S. Dak.
Syracuse, N.Y.
Tulsa, Okla.
Williamsport, Pa.
Winston-Salem, N.C.

SEMIANNUAL

Albuquerque, N. Mex.	Lubbock, Tex.
Boise, Idaho.	Portland, Maine.
El Paso, Tex.	Salem, Va.
Fairbanks, Alaska.	Spokane, Wash.
Hartford, Conn.	Tucson, Ariz.
Jackson, Miss.	Wichita, Kans.
Jacksonville, Fla.	Wilmington, N.C.
Las Vegas, Nev.	

ANNUAL

Bakersfield, Calif.	Jamestown, N. Dak.
Bangor, Maine.	Klamath Falls, Oreg.
Billings, Mont.	Lihue, Hawaii.
Butte, Mont.	Marquette, Mich.
Great Falls, Mont.	Rapid City, S. Dak.
Hilo, Hawaii.	Wailuku, Hawaii.

Arrangements have also been made, including cooperation of other Federal agencies, for General Class examinations in outlying areas as follows:

Alaska: Alaska Communications System stations.

Guam: District Communications Officer, United States naval station.

Hawaii: At not exceeding one point on any island, by the Engineer in Charge (Honolulu).

[*App. 1, Annual exam. points amended re Butte, Mont. eff. 12–30–66; VI(66)–1*]

Appendix 2

Extracts From Radio Regulations Annexed to the International Telecommunication Convention (Geneva, 1959)

ARTICLE 41—AMATEUR STATIONS

SECTION 1. Radiocommunications between amateur stations of different countries shall be forbidden if the administration of one of the countries concerned has notified that it objects to such radiocommunications.

SEC. 2. (1) When transmissions between amateur stations of different countries are permitted, they shall be made in plain language and shall be limited to messages of a technical nature relating to tests and to remarks of a personal character for which, by reason of their unimportance, recourse to the public telecommunications service is not justified. It is absolutely forbidden for amateur stations to be used for transmitting international communications on behalf of third parties.

(2) The preceding provisions may be modified by special arrangements between the administrations of the countries concerned.

SEC. 3. (1) Any person operating the apparatus of an amateur station shall have proved that he is able to send correctly by hand and to receive correctly by ear, texts in Morse code signals. Administrations concerned may, however, waive this requirement in the case of stations making use exclusively of frequencies above 144 Mc/s.

(2) Administrations shall take such measures as they judge necessary to verify the technical qualifications of any person operating the apparatus of an amateur station.

SEC. 4. The maximum power of amateur stations shall be fixed by the administrations concerned, having regard to the technical qualifications of the operators and to the conditions under which these stations are to work.

SEC. 5. (1) All the general rules of the Convention and of these Regulations shall apply to amateur stations. In particular, the emitted frequency shall be as stable and as free from spurious emissions as the state of technical development for such stations permits.

(2) During the course of their transmissions, amateur stations shall transmit their call sign at short intervals.

Appendix 3

CLASSIFICATION OF EMISSIONS

For convenient reference the tabulation below is extracted from the classification of typical emissions in Part 2 of the Commission's Rules and Regulations and in the Radio Regulations, Geneva, 1959, and it includes only those general classifications which appear most applicable to the Amateur Radio Service.

Type of modulation	Type of transmission	Symbol
Amplitude	With no modulation	AØ
	Telegraph without the use of modulating audio frequency (by on-off keying).	A1
	Telegraphy by the on-off keying of an amplitude modulating audio frequency or audio frequencies or by the on-off keying of the modulated emission (special case: an unkeyed emission amplitude modulated).	A2
	Telephony	A3 [1]
	Facsimile	A4
	Television	A5
Frequency (or phase).	Telegraphy by frequency shift keying without the use of a modulating audio frequency.	F1
	Telegraphy by the on-off keying of a frequency modulating audio frequency or by the on-off keying of frequency modulated emission (special case: an unkeyed emission frequency modulated).	F2
	Telephony	F3
	Facsimile	F4
	Television	F5
Pulse		P

[1] (In Part 97) unless specified otherwise, A3 includes single and double side band with full, reduced, or suppressed carrier.

Appendix 4

Convention Between the United States of America and Canada, Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country
(Effective May 15, 1952)

ARTICLE III

It is agreed that persons holding appropriate amateur licenses issued by either country may operate their amateur stations in the territory of the other country under the following conditions:

(a) Each visiting amateur may be required to register and receive a permit before operating any amateur station licensed by his government.

(b) The visiting amateur will identify his station by:

(1) *Radiotelegraph operation.* The amateur call sign issued to him by the licensing country followed by a slant (/) sign and the amateur call sign prefix and call area number of the country he is visiting.

(2) *Radiotelephone operation.* The amateur call sign in English issued to him by the licensing country followed by the words, "fixed," "portable" or "mobile," as appropriate, and the amateur call sign prefix and call area number of the country he is visiting.

(c) Each amateur station shall indicate at least once during each contact with another station its geographical location as nearly as possible by city and state or city and province.

(d) In other respects the amateur station shall be operated in accordance with the laws and regulations of the country in which the station is temporarily located.

RULES AND REGULATIONS

Part 99 | *Disaster Communications Service*

OCTOBER 1966

FEDERAL COMMUNICATIONS COMMISSION

Contents—Part 99

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AUTHORITY: §§ 99.1 to 99.41 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. Sub-chap. I, III–VI.

SUBPART A—GENERAL

§ 99.1 Basis and purpose.

(a) The basis of this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party. This part is issued pursuant to authority contained in Title III of the Communications Act of 1934, as amended, which vests authority in the Federal Communications Commission to regulate radio transmissions and to issue licenses for radio stations.

(b) The purpose of this part is to provide for the licensing or authorizing of radio stations to provide essential communications incident to or in connection with disasters or other incidents which involve loss of communication facilities normally available or which require the temporary establishment of communication facilities beyond those normally available.

§ 99.3 Definitions.

(a) *Disaster Communications Service.* A service of fixed, land, and mobile stations licensed, or authorized, to provide essential communications incident to or in connection with disasters or other incidents which involve loss of communications facilities normally available or which require the temporary establishment of communications facilities beyond those normally available.

(b) *Disaster.* An occurrence of such nature as to involve the health or safety of a community or large area, or the health or safety of any group of individuals in an isolated area to whom no normal means of communications are available, and include, but are not limited to, floods, earthquakes, hurricanes, explosions, aircraft or train wrecks, and consequences of armed attack.

(c) *Disaster station.* Any government or nongovernment radio station able to function as a fixed, land, or mobile station and authorized, if government, by its controlling federal government agency or licensed, if nongovernment, by the Federal Communications Commission to operate in the Disaster Communications Service. A single disaster station may consist of more than one unit, each capable of being operated independently as a fixed, land, or mobile station.

(d) *Associated station.* A disaster station is considered to be associated with a licensed station in some other service when both stations are licensed to the same licensee at the same location and both stations are included in at least one coordinated disaster communications plan of the area concerned. A portable station or a mobile station in the Disaster Communications Service will be considered to be associated with the station in the other service which is located at its base of operations.

(e) *Portable station.* A land station in the Disaster Communications Service which is capable of being moved from place to place and is in fact, from time to time, moved to and operated at unspecified fixed locations for the purpose of communicating with other fixed, land, or mobile stations.

(f) *Disaster communications.* Communications essential to the establishment and maintenance of communication channels to be used in connection with disasters or other incidents involving loss of communications facilities normally available or which demand the temporary establishment of communications facilities beyond those normally available, including communications necessary or incidental to drills and simulated disaster relief activity on the part of persons or organizations participating in the use of such communication channels; or communications or signals essential to the public welfare, or that of any segment of the public, including communications directly concerning safety of life, preservation of property, maintenance of law and order, and alleviation of human suffering and need, in the case of any actual or imminent disaster or other such incident.

(g) *Competent local authority.* That authority within a community or larger area which is so designated in the coordinated disaster communications plan for the area concerned, including any alternate authority who may be so designated in such plan. In the absence of the specifically designated authority, the individual in charge of the net control station, or his representative, for the organized disaster station network established in accordance with the coordinated disaster communications plan, shall be considered as competent authority for the activation of the stations of that network. Duly designated civil defense officials will be considered competent local authority in the organization or operation of disaster communications radio networks and stations, and in the coordination of disaster communications plans.

(h) *Antenna structure.* The radiating system, its supporting structures, and any surmounting appurtenances.

(i) *Aircraft landing area.* Any locality, either on land or water, including airports and intermediate landing fields, which is used, or approved for use, for landing and take-off of aircraft whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo.

SUBPART B—STATION LICENSE OR AUTHORIZATION

§ 99.7 Eligibility.

(a) A license for a station to be operated in the Disaster Communications Service may be granted to any person eligible to hold a station license under the provisions of the Communications Act of 1934, as amended: *Provided*, That the station or proposed station is shown to constitute an element of a bona fide disaster communications network organized or to be organized and operated in accordance with a locally or regionally coordinated disaster communications plan under responsible leadership and direction. Duly designated civil defense officials will be consid-

ered competent local authority in the organization or operation of disaster communications radio networks and stations, and in the coordination of disaster communications plans.

(b) Authorization for a United States Government station to operate in the Disaster Communications Service will be granted by the appropriate United States Government agency controlling that station.

§ 99.9 Organization of networks.

(a) Local disaster communications networks may be organized by any responsible local group or groups that may be in a position to provide such service. In any particular area there may be several such networks and each network may be independent of the others. Whenever there is more than one network in the same area, however, they must all share the available frequencies in an efficient and orderly manner, under a single coordinated disaster communications plan. Any particular network shall be organized and set up along such lines and in accordance with such disaster communications plan that an inspection of the written records of the network will show that there is in fact a local disaster network of definitely identified stations with appropriate and responsible leadership and rules for self government that provide for an orderly and efficient service. The various networks in adjacent areas shall establish proper liaison arrangements, which will become a part of their respective disaster communications plans, to provide for efficient use of the available frequencies and that, in case of need, communications may be handled on an inter-area basis.

(b) Each disaster communications network shall establish a basic operating procedure for the type or types of transmission to be employed; which operating procedure shall be based on a generally understood procedure in common use in other services for the types of communications and the types of transmissions to be employed.

§ 99.11 Applications.

(a) Application for construction permit and new license for a station to be operated in the Disaster Communications Service shall be submitted on FCC Form No. 525, signed by the applicant and countersigned by the competent local authority in charge of the disaster communications network in which the station is, primarily, intended to be operated. To facilitate a determination of eligibility, such application shall be accompanied by a statement describing in detail the purpose of the proposed station which shall include a copy of the locally coordinated disaster communication plan under which the station is intended to be operated unless such information has already been submitted to the Commission, in which case the application shall clearly identify that plan and the competent local authority under whose direction the station is proposed to be operated.

(b) A single application for construction permit and station license may be filed to cover all transmitter units normally located or based at one specified fixed location. Separate applications must, however, be filed to cover each separate disaster station, as defined in § 99.3(c).

(c) Unless otherwise directed by the Commission, application for modification of station license in the Disaster Communications Service shall be submitted on FCC Form No. 525 in the same manner as application for construction permit and new license, whenever the license or the basic location of a licensed station is proposed to be changed.

(d) Application for renewal of station license shall be submitted on FCC 405–A. All applications for renewal must be made during the license term and should be filed within 90 days but not later than 30 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(e) In order to minimize possible harmful interference at the National Radio Astronomy Observatory site located at Green Bank, Pocahontas County, West Virginia, and at the Naval Radio Research Observatory site at Sugar Grove, Pendleton County, West Virginia, any applicant for a station authorization other than mobile, temporary base, temporary fixed, Citizens Radio, Civil Air Patrol, or Amateur seeking a station license for a new station, a construction permit to construct a new station or to modify an existing station license in a manner which would change either the frequency, power, antenna height or directivity, or location of such a station within the area bounded by 39°15′ N on the north, 78°30′ W on the east, 37°30′ N on the south, and 80°30′ W on the west, shall, at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, P.O. Box No. 2, Green Bank, West Virginia, 24944, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity, if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such applications, the Commission will allow a period of 20 days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the 20-day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

(f) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address is changed (without changing the authorized location of a base or

fixed station) a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be and the call signs of all radio stations authorized to the licensee under this part. The notice shall be sent to (1) Secretary, Federal Communications Commission, Washington, D.C., 20554, and (2) the Engineer in Charge of the Radio District in which the station is located, and a copy shall be maintained with the license of each station until a new license is issued.

(g) Applicants proposing to construct a radio station on a site located on land under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

[*§ 99.11(g) adopted eff. 3-20-67; VI(66)-2*]

§ 99.13 Limitation on antenna structures.

(a) No new antenna structure shall be erected for use by any station licensed or proposed to be licensed in the Disaster Communications Service, and no changes shall be made in any existing antenna structure for use or intended to be used by any station licensed or proposed to be licensed in the Disaster Communications Service so as to increase its overall height above ground level, without prior approval by the Commission, in any case when either (1) the antenna structure proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on an existing man-made structure other than an antenna structure and does not increase the overall height of such man-made structure by more than 20 feet, or (2) the antenna structure proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except where the height of the antenna does not exceed 20 feet above the ground or if the antenna is mounted on an existing man-made structure other than an antenna structure or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet as a result of such mounting.

(b) Further details as to whether an aeronautical study and/or obstruction marking may be required, and specifications for obstruction marking when required, may be obtained from Part 17 of this chapter, "Construction, Marking, and Lighting of Antenna Structures." Information regarding requirements as to inspection of obstruction marking, recording of information regarding such inspection, and maintenance of antenna structures is also contained in Part 17 of this chapter.

§ 99.15 License term.

A license to operate a radio station in the Disaster Communications Service will be issued for a term of from 1 to 5 years from the effective date of grant as the Commission may determine in each case to permit the orderly scheduling of renewals, and for a renewal term of 4 years from the effective date of renewal.

SUBPART C—USE OF STATIONS

§ 99.17 Activation of stations.

(a) All stations in the Disaster Communications Service are authorized to be operated on the frequencies and with the types of emission specified by this part only when competent local authority either (1) determines that an impending or actual disaster or other such incident warrants their activation, or (2) schedules training operations, practice drills or tests to keep the networks and associated stations alert and efficient.

(b) Except during scheduled training operations, practice drills or tests, the scene of disaster frequency

shall be used only (1) by the station or stations actually located in the disaster area and those stations with which the station or stations actually in such disaster area are in direct communication, or (2) as a notification frequency, for the transmission of any authorized emission including automatic alarm signals, when a disaster is imminent or has occurred, or (3) in an impending disaster situation, as a calling frequency for preliminary contacts in establishing or alerting nets, or (4) as a calling frequency for non-net stations seeking contact with the control station of a net for disaster-related communications.

(c) Nothing in this section shall be deemed to prevent any radio station from operating on the scene of disaster frequency, using such equipment and such power as may be available or necessary, and communicating in accordance with the provisions of paragraph (b) of this section at any time the safety of life or property within the area of responsibility of that station is in danger as a result of an impending or actual disaster or other such incident.

§ 99.19 Points of communications.

All stations in the Disaster Communications Service, when activated in accordance with the provisions of § 99.17 are authorized to communicate with each other, with stations in the Amateur Radio Service, and with stations of the United States Government which are authorized by their controlling federal government agencies to communicate with stations in the Disaster Communications Service; and are further authorized to communicate with any station in any service licensed by the Federal Communications Commission whenever such station is authorized to communicate with stations in the Disaster Communications Service by the provisions of the Commission's rules governing the class of station concerned or in accordance with the provisions of § 2.405 of this chapter.

§ 99.21 Limitations on use.

(a) Stations operating in the Disaster Communications Service are authorized to transmit and to receive only those types of communications set forth in § 99.23 for:

(1) Liaison purposes for the coordination of the activities of various local or larger mutual aid organizations, between established individual or network stations authorized to operate in other services and engaged in disaster communications on their own regularly assigned service frequencies; or

(2) Direct operation as a part of a disaster communications network established for the purpose of providing disaster communications for an organization or organizations having no other frequencies available or none satisfactory for the distances or locations to be covered.

(b) Stations operating in the Disaster Communications Service are authorized to retransmit, by automatic means, authorized disaster communications being transmitted by other stations of the same disaster communications network, and to originate and transmit, by automatic means, distinctive signals, on the scene of disaster frequency only, for the alerting of the disaster communications network and/or for the actuation of selective signaling, calling or alerting devices: *Provided*, That when such automatic transmission or retransmission is employed, such stations shall not emit radio-frequency energy except when actually transmitting authorized disaster communications.

(c) Nothing in this section shall be construed to prevent the operation of a station in the Disaster Communications Service for the purpose of brief tests or adjustments during or coincident with the installation, servicing or maintenance of such station: *Provided*, That the transmissions of that station during such tests or adjustments shall not cause harmful interference to the conduct of communications by any other station.

(d) A station in the Disaster Communications Service shall not be used to transmit or to receive messages for hire, nor for communications for material compensation, direct or indirect, paid or promised.

§ 99.23 Permissible communications.

Stations in the Disaster Communications Service are authorized to transmit and to receive only the following types of disaster communications:

(a) Communications when there is no impending or actual disaster:

(1) Necessary drills and tests to insure the establishment and maintenance of efficient networks of stations in the Disaster Communications Service and other authorized services. These drills and tests may include the prearranged exchange of communications by stations of established networks with stations outside any established network where the purpose of such exchange is to provide training and practice in the establishment and maintenance of liaison and coordination between such networks and non-network stations. Such drills and tests shall not be permitted, in any way, to interfere with communications in connection with any actual or impending disaster or other such incident.

(b) Communications when there is an impending or actual disaster:

(1) Communications directly concerning:

(i) The activation of a disaster network, or

(ii) The establishment and maintenance of liaison and coordination between:

(*a*) The stations of one network and the stations of any other network, or

(*b*) Any network station and any non-network station of any agency possessed of its own system of radiocommunication which is actually engaged in averting or overcoming the effects of the disaster, or

(*c*) Any non-network station of one agency possessed of its own system of radiocommunication which is actually engaged in averting or overcoming the effects of the disaster and any non-network station of any other agency possessed of its own system of radiocommunication which is actually engaged in averting or overcoming the effects of the disaster.

(2) Communications directly concerning the conduct of service by an activated disaster network.

(3) Communications directly concerning safety of life, preservation of property, maintenance of law and order, and alleviation of human suffering and need by authorized government and relief agencies.

(4) Communications directly concerning the accumulation and dissemination of public information regarding safety of life, preservation of property, maintenance of law and order, or alleviation of human suffering and need by authorized government or relief agencies.

(5) Communications directly concerning the transaction of business essential to the public welfare.

(6) Communications concerning personal matters of individuals directly affected by the disaster.

(c) The order of priority of communications when there is an impending or actual disaster shall be as determined by the competent local authority activating the station or network, or his authorized representative.

§ 99.25 Station identification.

(a) *Call signs.* Disaster stations licensed by the Commission will be assigned distinctive call signs consisting of four letters and one digit. Stations of the United States Government authorized to operate in the Disaster Communications Service will be assigned appropriate call signs by the appropriate United States Government agencies from the call signs available to such agencies.

(b) *Use of call signs.* (1) *Radiotelegraph.* When transmitting by radiotelegraphy, each disaster station shall transmit the call sign of the station being called followed by its own call sign at the beginning of each series of communications with the called station, at least once each 15 minutes of such operation, and when terminating communications with the called station. One-way transmissions intended for several stations shall be identified in the same manner except that a general call may be used in place of the call signs of the several stations intended to receive the transmissions. Test transmissions of a station making

adjustments shall be identified by the transmission of the station call sign at the beginning and end of the test period and at least each 30 seconds during such period.

(2) *Radiotelephone.* When transmitting by radiotelephony, each disaster station shall identify itself and the station or stations being called in the same manner prescribed in this section for identification during radiotelegraph transmissions, except that, if there is no possibility of confusion, the name, location, or other designation of the station may be used in lieu of the call sign when that name, location, or other designation is the same as that of an associated station in some other service and is authorized to be used by such associated station when identifying itself on its regularly assigned frequencies.

(3) *Multiple units.* When two or more separate units of a station are operated at different locations, each unit shall separately identify itself by the addition of a unit name, number or other designation at the end of its call sign or other authorized means of identification. When transmitting by radiotelegraphy, such additional identification shall be separated from the call sign by use of the "slant" or fraction bar.

(4) *Additional identifications.* A list of all general or collective call signs, unit designators, and other authorized substitutes for or additions to assigned call signs used in each disaster station network shall be maintained at the control station of such network, and shall be made available for inspection upon reasonable request from any authorized representative of the federal government.

(c) *Automatic operation.* Stations which are entirely automatic in their operation, including automatic modulation of the carrier, shall be exempt from the requirements of paragraph (b) of this section.

§ 99.27 Radio station log.

(a) The licensee of each radio station licensed in the Disaster Communications Service shall keep an accurate log of all operations in the 1750–1800 kc/s band, which shall include the following:

(1) Name and address of the disaster station licensee, station call sign used in the Disaster Communications Service, date of expiration of the disaster station license, and d.c. plate power input to the vacuum tube or tubes supplying energy to the transmitting antenna system. This information need be entered only once in the log unless there is a change in any of the items in this subparagraph. Each change shall be entered with the date the change is made.

(2) Date and time of beginning and end of each period during which the disaster station is operated.

(3) Signature of each licensed operator who manipulates the key of a manually operated radiotelegraph transmitter or the signature of each licensed operator who operates a transmitter using any other type of emission and the name (or signature) of any person not holding an operator license who transmits by voice over the facilities of that station other than by automatic relay of the signal of another station or stations. The signature of the operator shall be entered with the date and time at both the beginning and the end of each period during which he is manning the controls of the disaster station and at least once on each page additional to the first page covering the period for which he is the responsible operator. The signature of any additional operator who operates the station during the regular watch of another operator shall be entered in the proper space for that additional operator's transmissions.

(4) Upon the completion of each period of operation for drill, training, liaison or test purposes and each period of operation in connection with an impending or actual disaster, there shall be entered in the log a summary of such operation describing its nature and giving pertinent details.

(5) There shall be no erasures, obliterations or destruction of any part of the disaster station log. Corrections shall be made by striking out erroneous portions and initialing and dating the correction.

(b) The current portion of the log of a licensed disaster station shall be kept at the location of the control position of such station. Other portions of the log shall be retained by the licensee for a period of at least one year, at such place as he may deem appropriate and advisable: *Provided,* That the log of a disaster station shall be made available for inspection upon reasonable request by any authorized representative of the federal government: *And provided further,* That those portions of any disaster station log covering operation of such station in connection with any actual disaster shall not be destroyed unless prior approval for such destruction shall have been received from the Commission.

(c) Stations which are entirely automatic in their operation, including automatic modulation of the carrier, shall be exempt from the requirements of paragraph (a) (2), (3) and (4) of this section, with respect to all operation of such stations which is adequately recorded in the log of any other station of the same disaster network.

SUBPART D—OPERATING REQUIREMENTS

§ 99.29 Limitations on use of frequencies.

(a) Frequencies in the band 1750–1800 kc/s are available to stations in this service on a shared basis with stations in the Industrial Radiolocation Service; *Provided, however*, That, except when transmitting in connection with an actual or imminent disaster in any area, stations in the Disaster Communications Service shall not cause harmful interference to stations in the Industrial Radiolocation Service between local sunrise and local sunset; *And, provided further*, That stations in the Industrial Radiolocation Service shall not cause harmful interference to stations in the Disaster Communications Service between local sunset and local sunrise, or at any time during an actual or imminent disaster in any area. Local sunrise and sunset times shall be derived by interpolation from the tables of the 1946 American Nautical Almanac, in accordance with a standardized procedure described therein.

(b) During the periods specified in paragraph (a) of this section when stations in the Disaster Communications Service shall not cause harmful interference to stations in the Industrial Radiolocation Service, the operation of a disaster station for the purpose of drills or tests shall not be permitted if the licensee of such station has reason to believe or has been informed that such operation might reasonably be expected to cause harmful interference to stations in the Industrial Radiolocation Service.

[*§ 99.29 amended eff. 11–15–66; VI(66)–1*]

§ 99.31 Liaison with licensees in the Industrial Radiolocation Service.

To carry into effect the requirements of § 99.29, and of § 91.611 in Part 91, Industrial Radio Services, of this chapter, including a positive means whereby operation in the Industrial Radiolocation Service can be suspended to protect stations in this Service against harmful interference during operation in connection with an actual or imminent disaster or during other hours when stations in this Service have priority on the use of frequencies in the 1750–1800 kc/s band, there shall be established an adequate and reliable system of notification and liaison between licensees in this Service and licensees in the Industrial Radiolocation Service. The extent and division of responsibility for various phases of the notification and liaison system shall be as follows:

(a) Organization and establishment of a system of liaison within the Industrial Radiolocation Service; the devising of a system for the receipt and distribution of notification information; and the installation, operation and maintenance of such a system shall be the responsibility of licensees in the Industrial Radiolocation Service authorized to operate in the band 1750–1800 kc/s.

(b) Organization and establishment of a system of liaison within the Disaster Communications Service, and the devising of a method for the dispatch of notification information to the person or persons designated by licensees in the Industrial Radiolocation Service shall be the responsibility of licensees in the Disaster Communications Service authorized to operate in the band 1750–1800 kc/s.

(c) The responsibility for the initiation of liaison between licensees in the Industrial Radiolocation Service and the licensees in the Disaster Communications Service shall be the responsibility of the former.

(d) Once initiated, the maintenance, review and improvement of liaison between licensees in the two Services shall be the joint responsibility of both groups.

(e) Issuance of notification to suspend operation in the Industrial Radiolocation Service due to an impending or actual disaster shall be the responsibility of licensees in the Disaster Communications Service. Such notification shall be by those means which have been mutually agreed upon as sufficiently adequate, prompt and reliable to effectuate the purpose of this section. Any desired communication method or combination of methods may be utilized, and may be supplemented as necessary in case of failure of the agreed-upon method of notification.

(f) When stations in the Industrial Radiolocation Service have discontinued transmitting to protect disaster communications in connection with an imminent or actual disaster, and when the point has been reached where there is no reasonable possibility that radiolocation transmissions will cause harmful interference to the disaster communications, it shall be the responsibility of licensees in the Disaster Communications Service to communicate this information promptly to the licensees in the Industrial Radiolocation Service so that they may resume operation at will.

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(g) The notification and liaison procedure hereby required to be established shall be limited to that geographical area within which there is a reasonable anticipation, determined by actual tests whenever practicable, that harmful interference may be caused by a licensee in the Industrial Radiolocation Service to licensees in the Disaster Communications Service.

§ 99.33 Assigned frequencies and authorized emissions.

(a) The following frequencies in the frequency band 1750–1800 kc/s are assigned, on a nonexclusive basis, to all stations in the Disaster Communications Service. The selection and use of these frequencies shall be in accordance with a coordinated local area and adjacent area disaster communications plan (see § 99.3(g)), the specific types of emission herein indicated, and the other applicable provisions of this part:

Channel No.	*Channel width*	*Assigned frequency*	*Authorized emission*
	(1) Radiotelegraph channels		
1	1 kc/s	1750.5 kc/s	0.5A1
2	1 kc/s	1751.5 kc/s	0.5A1
3	1 kc/s	1752.5 kc/s	0.5A1
4	1 kc/s	1753.5 kc/s	0.5A1
5	1 kc/s	1754.5 kc/s	0.5A1
6	1 kc/s	1755.5 kc/s	0.5A1
7	1 kc/s	1756.5 kc/s	0.5A1
8	1 kc/s	1757.5 kc/s	0.5A1
	(2) Scene of Disaster channel		
9	7 kc/s	1761.5 kc/s	0.5A1, 2.5A2, or 6A3
	(3) Radiotelephone channels		
10	7 kc/s	1768.5 kc/s	6A3
11	7 kc/s	1775.5 kc/s	6A3
12	7 kc/s	1782.5 kc/s	6A3
13	7 kc/s	1789.5 kc/s	6A3
14	7 kc/s	1796.5 kc/s	6A3

(b) In the table in paragraph (a) of this section, a figure specifying the maximum authorized bandwidth in kilocycles to be occupied by the emission is shown as a prefix to the authorized emission classification. The specified bandwidth shall contain those frequencies upon which a total of 99 percent of the radiated power appears, and shall include any discrete frequency upon which the power is at least 0.25 percent of the total radiated power. Any radiation in excess of the limits specified is considered to be an unauthorized emission.

(c) When an unauthorized emission results in harmful interference, the Commission may, in its discretion, require appropriate technical changes in equipment to alleviate the interference.

§ 99.35 Transmitting power.

The transmitting equipment of a radio station in the Disaster Communications Service shall be adjusted in such a manner as to produce the minimum radiation necessary to carry out the communications desired when such station is operating in the frequency band 1750–1800 kilocycles. No station in the Disaster Communications Service shall be operated on these frequencies using a direct current plate power input to the vacuum tube or tubes supplying energy to the antenna in excess of 500 watts, except when operating on the scene of disaster frequency in accordance with the provisions of § 99.17(c).

§ 99.37 Equipment requirements.

(a) All stations in the Disaster Communications Service, except those intended only for the transmission of an automatic alarm or alerting signal, shall be capable of both transmitting and receiving on the scene of disaster frequency.

(b) The carrier frequency of each licensed station in the Disaster Communications Service shall be maintained within 0.015 percent of the assigned frequency.

(c) When the radio frequency carrier of a station in the Disaster Communications Service is amplitude modulated, such modulation shall not exceed 100 percent on negative peaks.

(d) The licensee of each station in the Disaster Communications Service which is utilized for the transmission of Type A–1 or Type A–3 emission shall use adequately filtered direct-current plate power supply for the transmitter to minimize modulation from that source.

§ 99.39 Operator requirements.

(a) Except under the conditions specified in paragraph (d) of this section, one or more licensed radio operators of the class or grade specified in paragraph (b) of this section shall be on duty at the place where the transmitting apparatus of each licensed disaster station is located, or at the control position of such station if the control position is located at a place other than the location of the transmitting apparatus, and in actual charge thereof whenever it is being operated for the purpose of transmitting disaster communications, as defined in § 99.3(f), or is otherwise placed in a condition so as to produce radiation of radio frequency energy. No person shall manipulate the radiotelegraph key of a licensed disaster station for the purpose of manually transmitting radiotelegraph signals except under and in accordance with the authority of an operator license granting appropriate radiotelegraph operating privileges in accordance with the provisions of paragraph (b) of this section.

(b) Disaster stations licensed by the Federal Communications Commission may be operated, when properly transmitting in accordance with the provisions of this part, by the holders of:

(1) Any amateur radio operator license issued by the Federal Communications Commission which authorizes the holder thereof to operate an amateur radio station in the amateur segments of the 1800–2000 kc/s frequency band; or

(2) Any commercial radio operator license issued by the Federal Communications Commission: *Provided*, That the holder of such commercial radio operator license shall perform or be responsible for only those operating duties and responsibilities at a dis-

aster station which he is authorized, under the authority of such license, to perform or be responsible for at some other class of station licensed by the Commission when using the same type of emission and method of operation on a frequency or frequencies below 25 Mc/s.

(c) When a station of the United States Government is authorized by the appropriate United States Government agency concerned to be operated in the Disaster Communications Service, the operator requirements for that station will be determined by the authorizing agency.

(d) Stations which are entirely automatic in their operation, including automatic modulation of the carrier, shall be exempt from the provisions of paragraph (a) of this section during the course of the normal rendition of the service of such stations: *Provided,* That all adjustments or tests during or coincident with the installation, servicing or maintenance of such stations shall be performed only by or under the immediate supervision and responsibility of a duly licensed operator whose license authorizes him to operate the station under those conditions in accordance with the provisions of paragraph (b) of this section: *And provided further,* That the station shall be so designed and installed as to be inaccessible to unauthorized personnel and incapable of any unauthorized transmission.

§ 99.41 Availability of station and operator licenses.

(a) The original station license for a station in the Disaster Communications Service or a photocopy thereof, shall be permanently attached to each transmitter of such station if the transmitter is readily accessible, or permanently posted at the control position of such station if the control position is located at a place other than the location of the transmitter.

(b) The original radio operator license or verification card (FCC Form No. 758–F) of the operator controlling the emissions of a licensed station in the Disaster Communications Service shall be carried on his person or kept immediately available at the place where he is operating the station.

(c) Whenever the original station license is not posted in accordance with the provisions of paragraph (a) of this section, or whenever the original operator license is not readily available at the place where the operator is on duty, such original license shall be made available for inspection upon reasonable request from any authorized representative of the federal government.

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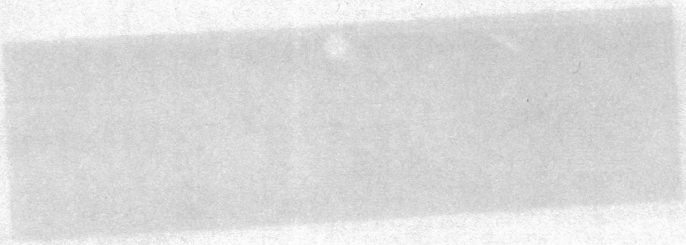

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AUTHORITY: §§ 95.1 to 95.121 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. Sub-chap. I, III–VI.

the provisions of this paragraph, may upon specific prior approval of the Commission provide radiocommunications for its members.

(c) No person shall hold more than one Class B, one Class C, and one Class D station license.

§ 95.15 Filing of applications.

(a) To assure that necessary information is supplied in a consistent manner by all persons, standard forms are prescribed for use in connection with the majority of applications and reports submitted for Commission consideration. Standard numbered forms applicable to the Citizens Radio Service are discussed in § 95.19 and may be obtained from the Washington, D.C., 20554, office of the Commission, or from any of its engineering field offices.

(b) All formal applications for Class B, Class C, or Class D new, modified, or renewal station authorizations shall be submitted to the Commission's office at 334 York Street, Gettysburg, Pa., 17325. Applications for Class A station authorizations, applications for consent to transfer of control of a corporation holding any citizens radio station authorization, requests for special temporary authority or other special requests, and correspondence relating to an application for any class citizens radio station authorization shall be submitted to the Commission's Office at Washington, D.C., 20554, and should be directed to the attention of the Secretary. Applications involving Class C or Class D station equipment which is neither type approved nor crystal controlled, whether of commercial or home construction, shall be accompanied by supplemental data describing in detail the design and construction of the transmitter and methods employed in testing it to determine compliance with the technical requirements set forth in Subpart C of this part.

(c) Unless otherwise specified, an application shall be filed at least 60 days prior to the date on which it is desired that Commission action thereon be completed. In any case where the applicant has made timely and sufficient application for renewal of license, in accordance with the Commission's rules, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(d) Failure on the part of the applicant to provide all the information required by the application form, or to supply the necessary exhibits or supplementary statements may constitute a defect in the application.

§ 95.17 Who may sign applications.

(a) Except as provided in paragraph (b) of this section, applications, amendments thereto, and related statements of fact required by the Commission shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association. Applications, amendments, and related statements of fact filed on behalf of eligible government entities, such as states and territories of the United States and political subdivisions thereof, the District of Columbia, and units of local government, including incorporated municipalities, shall be signed by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction.

(b) Applications, amendments thereto, and related statements of fact required by the Commission may be signed by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

(c) Only the original of applications, amendments, or related statements of fact need be signed; copies may be conformed.

(d) Applications, amendments, and related statements of fact need not be signed under oath. Willful false statements made therein, however, are punishable by fine and imprisonment, U.S. Code, Title 18, section 1001, and by appropriate administrative sanctions, including revocation of station license pursuant to section 312(a)(1) of the Communications Act of 1934, as amended.

§ 95.19 Standard forms to be used.

(a) *FCC Form 505, Application for Class B, C, or D Station License in the Citizens Radio Service.* This form shall be used when:

(1) Application is made for a new Class B, Class C, or Class D station authorization for any required number of transmitters to be operated as a group in a single radiocommunication system in a particular area. A separate application shall be submitted for each proposed class of station.

(2) Application is made for modification of any existing Class B, Class C, or Class D station authorization in those cases where prior Commission approval of certain changes is required (see § 95.35).

(3) Application is made for renewal of an existing Class B, Class C, or Class D station authorization, or for reinstatement of such an expired authorization.

(b) *FCC Form 400, Application for Radio Station Authorization in the Safety and Special Radio Services.* This form shall be used when:

(1) Application is made for a new Class A base station or fixed station authorization. Separate applications shall be submitted for each proposed base or fixed station at different fixed locations; however, all equipment intended to be operated at a single fixed location is considered to be one station which may, if necessary, be classed as both a base station and a fixed station.

(2) Application is made for a new Class A station authorization for any required number of mobile units (including hand-carried and pack-carried units) to be

operated as a group in a single radiocommunication system in a particular area. An application for Class A mobile station authorization may be combined with the application for a single Class A base station authorization when such mobile units are to be operated with that base station only.

(3) Application is made for station license of any Class A base station or fixed station upon completion of construction or installation in accordance with the terms and conditions set forth in any construction permit required to be issued for that station, or application for extension of time within which to construct such a station.

(4) Application is made for modification of any existing Class A station authorization in those cases where prior Commission approval of certain changes is required (see § 95.35).

(5) Application is made for renewal of an existing Class A station authorization, or for reinstatement of such an expired authorization.

(6) [Reserved]

(7) Application is made for an authorization for a new Class A base or fixed station to be operated at unspecified or temporary locations. When one or more individual transmitters are each intended to be operated as a base station or as a fixed station at unspecified or temporary locations for indeterminate periods, such transmitters may be considered to comprise a single station intended to be operated at temporary locations. The application shall specify the general geographic area within which the operation will be confined. Sufficient data must be submitted to show the need for the proposed area of operation.

(c) *FCC Form 703, Application for Consent to Transfer of Control of Corporation Holding Construction Permit or Station License.* This form shall be used when application is made for consent to transfer control of a corporation holding any citizens radio station authorization.

§ 95.25 Amendment or dismissal of application.

(a) Any application may be amended upon request of the applicant as a matter of right prior to the time the application is granted or designated for hearing. Each amendment to an application shall be signed and submitted in the same manner and with the same number of copies as required for the original application.

(b) Any application may, upon written request signed by the applicant or his attorney, be dismissed without prejudice as a matter of right prior to the time the application is granted or designated for hearing.

§ 95.27 Transfer of license prohibited.

A station authorization in the Citizens Radio Service may not be transferred or assigned. In lieu of such transfer or assignment, an application for new station authorization shall be filed in each case, and the previous authorization shall be forwarded to the Commission for cancellation.

§ 95.29 Defective applications.

(a) If an applicant is requested by the Commission to file any documents or information not included in the prescribed application form, a failure to comply with such request will constitute a defect in the application.

(b) When an application is considered to be incomplete or defective, such application will be returned to the applicant, unless the Commission may otherwise direct. The reason for return of the applications will be indicated, and if appropriate, necessary additions or corrections will be suggested.

§ 95.31 Partial grant.

Where the Commission, without a hearing, grants an application in part, or with any privileges, terms, or conditions other than those requested, the action of the Commission shall be considered as a grant of such application unless the applicant shall, within 30 days from the date on which such grant is made, or from its effective date if a later date is specified, file with the Commission a written rejection of the grant as made. Upon receipt of such rejection, the Commission will vacate its original action upon the application and, if appropriate, set the application for hearing.

§ 95.33 License period.

Unless otherwise stated in the authorization, licenses for all stations in the Citizens Radio Service will normally be issued for a term of 5 years from the date of original issuance, renewal, or modification.

§ 95.35 Changes in authorized stations.

Authority for certain changes in authorized stations must be obtained from the Commission before the changes are made, while other changes do not require prior Commission approval. The following paragraphs of this section describe the conditions under which prior Commission approval is or is not necessary.

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modification of license be submitted to the Commission. Application for modification shall be submitted in the same manner as an application for a new station license, and the licensee shall forward his existing authorization to the Commission for cancellation immediately upon receipt of the superseding authorization. Any of the following changes to authorized stations may be made only upon approval by the Commission:

(1) Increase the overall number of transmitters authorized.

(2) Change the presently authorized location of a Class A fixed or base station or control point.

(3) Move, change the height of, or erect a Class A station antenna structure of the type which requires

population, which are used to control base stations and are authorized to operate on frequencies other than those listed in subparagraph (1) of this paragraph may continue to operate on those frequencies only until January 1, 1970.

(v) All fixed stations must comply with the applicable technical requirements of subparagraph (1) relating to antennas and radiated signal strength of this paragraph by November 1, 1971.

(b) Effective March 18, 1968, frequencies will no longer be available to Class B stations for new or modified facilities. However, existing Class B stations may, upon renewal, continue to operate until November 1, 1971.

[*Correction to § 95.41(a) & (b) as amended effective 3–18–68; VI(66)–5*]

(c) Class C mobile stations may employ only amplitude tone modulation or on-off keying of the unmodulated carrier, on a shared basis with other stations in the Citizens Radio Service on the frequencies and under the conditions specified in the following tables:

(1) For the control of remote objects or devices by radio, or for the remote actuation of devices which are used solely as a means of attracting attention and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band, the following frequencies are available:

Mc/s	*Mc/s*	*Mc/s*
26.995	27.095	27.195
27.045	27.145	[1] 27.255

[1] The frequency 27.255 Mc/s also is shared with stations in other services.

(2) Solely for the radio control of model aircraft and subject to the conditions (i) that interference will not be caused to the remote control of industrial equipment operating on the same or adjacent frequencies and to the reception of television transmissions on channels 4 or 5 and (ii) that no protection will be afforded from interference due to the operation of fixed and mobile stations in other services assigned to the same or adjacent frequencies in the band, the following frequencies are available.

Mc/s	*Mc/s*	*Mc/s*
72.08	72.40	75.64
72.24	72.96	

(d) The frequencies listed in the following tables are available for use by Class D mobile stations employing radiotelephony only, on a shared basis with other stations in the Citizens Radio Service, and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band.

(1) The following frequencies, commonly known as channels 1 through 23, may be used for communications between units of the same station:

Mc/s	*Mc/s*	*Mc/s*	*Mc/s*
26.965	27.035	27.115	27.185
26.975	27.055	27.125	27.205
26.985	27.065	27.135	27.215
27.005	27.075	27.155	27.225
27.015	27.085	27.165	[1] 27.255
27.025	27.105	27.175	

[1] The frequency 27.255 Mc/s is also shared with stations in other services.

(2) Only the following frequencies may be used for communication between units of different stations:

Mc/s	*Channel*	*Mc/s*	*Channel*
27.065	9	27.115	13
27.075	10	27.125	14
27.085	11	27.255	23
27.105	12		

(e) Upon specific request accompanying application for renewal of station authorization, a Class A station in this service, which was authorized to operate on a frequency in the 460–461 Mc/s band until March 31, 1967, may be assigned that frequency for continued use until not later than March 31, 1968, subject to all other provisions of this part.

[*§ 95.41(e) amended eff. 2–17–67; VI(66)–2*]

§ 95.43 Station power.

Neither the average power input to the plate or collector circuit or circuits which contribute radio frequency energy to the radiating system nor the average radio frequency power supplied to the radiating system of a station operating in this service shall exceed the following maximum values:

Class of station	Power input (average watts) [2]	Power output (average watts) [3]
A	60	48
B	5	4
C [1]	5	4
D	5	4

[1] On 27.255 Mc/s the average power permitted for Class C stations shall not exceed 30 watts input and 24 watts output. On frequencies in the 72–76 Mc/s band the average power for Class C stations shall not exceed 1 watt input and 0.75 watt output.

[2] For the purpose of this section, power measurement shall be made during maximum peaks of modulation using meters having a full scale accuracy of 2 percent or better and having a maximum time constant of not more than 0.25 of a second. Where the average unmodulated carrier power is increased by modulation applied to the circuit or circuits which contribute radio frequency energy to the radiating system, the sum of the unmodulated carrier power input and the average power output of the modulator shall not exceed the values specified in this table by more than 25 percent.

[3] Power output shall be measured at the transmitter.

§ 95.45 Frequency tolerance.

The carrier frequency of a station in this service shall be maintained within the following percentage of the authorized frequency:

Class of station	Maximum authorized power input	Frequency tolerance	
		Fixed and base	Mobile
A	3 watts or less	[1] 0.00025	[1] 0.0005
A	Over 3 watts	[1] .00025	[1] .0005
B	3 watts or less		.5
B	Over 3 watts		.3
C	5 watts or less [2]		.005
C	Over 5 watts (27.255 Mc/s only)		.005
D	5 watts or less		.005

[1] Effective Nov. 1, 1967. Stations authorized before Nov. 1, 1967, may continue to operate with tolerance of 0.001 percent, or .005 for mobile stations, with 3 watts or less power until Nov. 1, 1971.

[2] Class C stations operating on authorized frequencies between 26.99 and 27.26 Mc/s with 3 watts or less power input which are used solely for the control of remote objects or devices by radio (other than devices used solely as a means of attracting attention) are permitted a frequency tolerance of 0.01 percent.

[*§ 95.45 amended eff. 1-9-67; VI(66)-1*]

§ 95.47 Types of emission.

(a) Except as provided in paragraph (e) of this section, Class A stations in this service will normally be authorized to transmit radiotelephony only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention is prohibited.

(b) Class B stations in this service are authorized to use amplitude or frequency modulation, or on-off unmodulated carrier, and may be used for radiotelephony, to control remote objects or devices by means of radio, or to remotely actuate devices which are used as a means of attracting attention.

(c) Class C stations in this service are authorized to use amplitude tone modulation or on-off unmodulated carrier only, for the control of remote objects or devices by radio or for the remote actuation of devices which are used solely as a means of attracting attention. The transmission of any form of telegraphy, telephony or record communications by a Class C station is prohibited. Telemetering, except for the transmission of simple, short duration signals indicating the presence or absence of a condition or the occurrence of an event, is also prohibited.

(d) Class D stations in this service are authorized to use amplitude voice modulation, including single sideband and/or reduced or suppressed carrier, for radiotelephone communications only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention or for the control of remote objects or devices is prohibited.

(e) Other types of emission not described in paragraph (a) of this section may be authorized for Class A citizens radio stations upon a showing of need therefor. An application requesting such authorization shall fully describe the emission desired, shall indicate the bandwidth required for satisfactory communication, and shall state the purpose for which such emission is required. For information regarding the classification of emissions and the calculation of bandwidth, reference should be made to Part 2 of this chapter.

§ 95.49 Emission limitations.

(a) Each authorization issued to a Class A citizens radio station will show, as a prefix to the classification of the authorized emission, a figure specifying the maximum bandwidth to be occupied by the emission.

(b) All operation of a Class B citizens radio station (including tolerance and bandwidth occupied by the emission) shall be confined to the frequency band 462.525–467.475 Mc/s.

(c) (1) Except as provided in subparagraph (2) of this paragraph and except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the maximum authorized bandwidth of the emission of any station employing amplitude modulation (Type A2 or A3 emission) shall be 8 kc/s and the maximum authorized bandwidth of the emission of any station employing frequency or phase modulation (Type F2 or F3 emission) shall be 40 kc/s. The use of Type F2 or F3 emission in the frequency band 26.96–27.28 Mc/s is not authorized.

(2) Effective November 1, 1967, the maximum authorized bandwidth of Class A stations employing frequency or phase modulation (Type F2 or F3 emission) will be 20 kc/s. Class A stations authorized before November 1, 1967, may continue to operate with maximum 40 kc/s bandwidth until November 1, 1971.

(d) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: At least 25 decibels;

(2) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels;

(3) On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth, at least the amounts indicated in the following table:

Maximum authorized power input to final radio frequency stage:	*Attenuation (db)*
Over 3 watts	50
3 watts or less	[1] 40

[1] In the case of Class B stations having a maximum power input to the final radio frequency stage of 3 watts or less, any emission appearing on any frequency within a band allocated to industrial, scientific, and medical equipment under the provisions of Part 2 of this chapter shall be attenuated at least 30 db.

(e) When an unauthorized emission results in harmful interference, the Commission may, in its discretion, require appropriate technical changes in equipment to alleviate the interference.

[*§ 95.49(c) amended eff. 1-9-67; VI(66)-1*]

§ 95.51 Modulation requirements.

(a) When the radio frequency carrier of a station in this service is amplitude modulated, such modulation shall not exceed 100 percent on positive or negative peaks.

(b) Except as provided in paragraph (c) of this section and except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the frequency deviation of any frequency modulated transmitter operated in this service shall not exceed ±15 kc/s and the simultaneous amplitude modulation and frequency or phase modulation of a transmitter is not authorized.

(c) Effective June 1, 1967, the maximum frequency deviation for all Class A stations employing F2 or F3 emission will be ±5 kc/s.

NOTE: Effective date of June 1, 1967, postponed by FCC 67-586 until further order.

(d) Class A stations authorized on or after November 1, 1967, shall be provided with a device which automatically will prevent modulation in excess of that specified in this subpart which may be caused by greater than normal audio level. Class A stations authorized before November 1, 1967, will be required to comply with the provisions of this paragraph by November 1, 1971: *Provided, however,* That the requirements of this paragraph shall not apply to transmitters authorized to operate as mobile stations with a maximum plate power input to the final radio frequency stage of 3 watts or less.

(e) Each transmitter of a Class A station which is equipped with a modulation limiter in accordance with the provisions of paragraph (d) of this section shall also be equipped with an audio low-pass filter. This audio low-pass filter shall be installed between the modulation limiter and the modulated stage and, at audio frequencies between 3 kc/s and 20 kc/s, shall have an attenuation greater than the attenuation at 1 kc/s by at least:

$$60 \log_{10} (f/3) \text{ decibels}$$

where "f" is the audiofrequency in kc/s. At audio frequencies above 20 kc/s, the attenuation shall be at least 50 decibels greater than the attenuation at 1 kc/s.

[*§ 95.51 Headnote and (b) amended, (c), (d), and (e) adopted eff. 1-9-67; VI(66)-1*]

§ 95.53 Compliance with technical requirements.

(a) Upon receipt of notification from the Commission of a deviation from the technical requirements of the rules in this part, the radiations of the transmitter involved shall be suspended immediately, except for necessary tests and adjustments, and shall not be resumed until such deviation has been corrected.

(b) When any citizens radio station licensee receives a notice of violation indicating that the station has been operated contrary to any of the provisions contained in Subpart C of this part, or where it otherwise appears that operation of a station in this service

prior approval from the Commission as set forth in § 95.37.

(4) Make any change in the type of emission or any increase in bandwidth of emission or power of a Class A station.

(5) Addition or deletion of control point(s) for an authorized transmitter of a Class A station.

(6) Change or increase the area of operation of a Class A mobile station or a Class A base or fixed station authorized to be operated at temporary locations.

(7) Change the operating frequency of a Class A station.

(b) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address of the licensee is changed (without changing the authorized location of the base or fixed Class A station) a formal application for modification of the license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, and the call signs and classes of all radio stations authorized to the licensee under this part. The notice concerning Class B, C, or D radio stations shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be maintained with the records of the station. The notice concerning Class A stations shall be sent to (1) Secretary, Federal Communications Commission, Washington, D.C., 20554, and (2) to Engineer in Charge of the Radio District in which the station is located, and a copy shall be maintained with the license of the station until a new license is issued.

(c) Proposed changes which will not depart from any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is the substitution of various makes of transmitting equipment at any station, provided that the particular equipment to be installed is included in the Commission's "Radio Equipment List, Part C" and is listed as acceptable for use under this part or, in the case of a Class C or Class D station using crystal control on authorized frequencies in the 26.96–27.26 Mc/s band, the substitute equipment is crystal controlled; and further provided the substitute equipment employs the same type of emission and does not exceed the frequency tolerance and power limitation prescribed for the particular class of station involved.

§ 95.37 Limitations on antenna structures.

(a) No new antenna or antenna structures shall be erected for use by any Class A station licensed, or proposed to be licensed, in this service, and no change shall be made in any existing antenna or antenna structure used, or intended to be used, by any Class A station licensed, or proposed to be licensed, in this service so as to increase its overall height above ground level, without prior approval from the Commission in any case when either:

(1) The antenna structures proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on top of an existing man-made structure, other than an antenna structure, and does not increase the overall height of such man-made structure by more than 20 feet; or

(2) The antenna structures proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance or fraction thereof from the nearest boundary of such landing area except where the antenna does not exceed 20 feet above the ground or where the height of the antenna is mounted on top of an existing man-made structure, other than an antenna structure, or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet. Application for Commission approval, if required, shall be submitted on FCC Form 400.

(b) [Reserved]

(c) A Class B, Class C or Class D station operated at a fixed location shall employ a transmitting antenna which complies with at least one of the following:

(1) The antenna and its supporting structure does not exceed 20 feet in height above ground level; or

(2) The antenna and its supporting structure does not exceed by more than 20 feet the height of any natural formation, tree or man-made structure on which it is mounted; or

(3) The antenna is mounted on the transmitting antenna structure of another authorized radio station and does not exceed the height of the antenna supporting structure of the other station; or

(4) The antenna is mounted on and does not exceed the height of an antenna structure otherwise used solely for receiving purposes, which structure itself complies with subparagraph (1) or (2) of this paragraph.

NOTE: A man-made structure is any construction other than a tower, mast or pole.

(d) Class C stations operated on frequencies in the 72–76 Mc/s band shall employ a transmitting antenna which complies with all of the following:

(1) The gain of the antenna shall not exceed that of a half-wave dipole;

(2) The antenna shall be immediately attached to, and an integral part of, the transmitter; and

(3) Only vertical polarization shall be used.

SUBPART C—TECHNICAL REGULATIONS

§ 95.41 Frequencies available.

(a) The following frequencies are available for assignment to Class A base, mobile, or fixed stations,

on a shared basis with other stations in the Citizens Radio Service:

Mc/s	*Mc/s*	*Mc/s*	*Mc/s*
462.55	463.15	**465.30**	465.90
462.60	463.20	465.35	465.95
462.65	464.75	465.40	466.00
462.70	464.80	465.45	466.05
462.75	464.85	465.50	466.10
462.80	464.90	465.55	466.15
462.85	464.95	465.60	466.20
462.90	465.05	465.65	466.25
462.95	465.10	465.70	466.30
463.00	465.15	465.75	466.35
463.05	465.20	465.80	466.40
463.10	465.25	465.85	466.45

(b) The frequency 465.00 Mc/s is available for use by Class B mobile stations under the conditions specified in §§ 95.45, 95.47, and 95.49 on a shared basis with other stations in the Citizens Radio Service. In addition, a Class B mobile station employing equipment which has been type accepted for use by Class A citizens radio stations, is authorized to be operated on any of the frequencies listed in paragraph (a) of this section.

(c) Class C mobile stations may employ only amplitude tone modulation or on-off keying of the unmodulated carrier, on a shared basis with other stations in the Citizens Radio Service on the frequencies and under the conditions specified in the following tables:

(1) For the control of remote objects or devices by radio, or for the remote actuation of devices which are used solely as a means of attracting attention and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band, the following frequencies are available:

Mc/s	*Mc/s*	*Mc/s*
26.995	27.095	27.195
27.045	27.145	[1] 27.255

[1] The frequency 27.255 Mc/s also is shared with stations in other services.

(2) Solely for the radio control of model aircraft and subject to the conditions (i) that interference will not be caused to the remote control of industrial equipment operating on the same or adjacent frequencies and to the reception of television transmissions on channels 4 or 5 and (ii) that no protection will be afforded from interference due to the operation of fixed and mobile stations in other services assigned to the same or adjacent frequencies in the band, the following frequencies are available.

Mc/s	*Mc/s*	*Mc/s*
72.08	72.40	75.64
72.24	72.96	

(d) The frequencies listed in the following tables are available for use by Class D mobile stations employing radiotelephony only, on a shared basis with other stations in the Citizens Radio Service, and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band.

(1) The following frequencies, commonly known as channels 1 through 23, may be used for communications between units of the same station:

Mc/s	*Mc/s*	*Mc/s*	*Mc/s*
26.965	27.035	27.115	27.185
26.975	27.055	27.125	27.205
26.985	27.065	27.135	27.215
27.005	27.075	27.155	27.225
27.015	27.085	27.165	[1] 27.255
27.025	27.105	27.175	

[1] The frequency 27.255 Mc/s is also shared with stations in other services.

(2) Only the following frequencies may be used for communication between units of different stations:

Mc/s	*Channel*	*Mc/s*	*Channel*
27.065	9	27.115	13
27.075	10	27.125	14
27.085	11	27.255	23
27.105	12		

(e) Upon specific request accompanying application for renewal of station authorization, a Class A station in this service, which was authorized to operate on a frequency in the 460–461 Mc/s band until March 31, 1966, may be assigned that frequency for continued use until not later than March 31, 1967, subject to all other provisions of this part.

§ 95.43 Station power.

Neither the average power input to the plate or collector circuit or circuits which contribute radio frequency energy to the radiating system nor the average radio frequency power supplied to the radiating system of a station operating in this service shall exceed the following maximum values:

Class of station	Power input (average watts) [2]	Power output (average watts) [3]
A	60	48
B	5	4
C [1]	5	4
D	5	4

[1] On 27.255 Mc/s the average power permitted for Class C stations shall not exceed 30 watts input and 24 watts output. On frequencies in the 72–76 Mc/s band the average power for Class C stations shall not exceed 1 watt input and 0.75 watt output.

[2] For the purpose of this section, power measurement shall be made during maximum peaks of modulation using meters having a full scale accuracy of 2 percent or better and having a maximum time constant of not more than 0.25 of a second. Where the average unmodulated carrier power is increased by modulation applied to the circuit or circuits which contribute radio frequency energy to the radiating system, the sum of the unmodulated carrier power input and the average power output of the modulator shall not exceed the values specified in this table by more than 25 percent.

[3] Power output shall be measured at the transmitter.

§ 95.45 Frequency tolerance.

The carrier frequency of a station in this service shall be maintained within the following percentage of the authorized frequency:

Class of station	Maximum authorized power input	Frequency tolerance	
		Fixed and base	Mobile
		Percent	*Percent*
A	3 watts or less	.001	.005
A	over 3 watts	.001	.001
B	3 watts or less		.5
B	over 3 watts		.3
C	5 watts or less [1]		.005
C	over 5 watts (27.255 Mc/s only)		.005
D	5 watts or less		.005

[1] Class C stations operating on authorized frequencies between 26.99 and 27.26 Mc/s with 3 watts or less power input which are used solely for the control of remote objects or devices by radio (other than devices used solely as a means of attracting attention) are permitted a frequency tolerance of 0.01 percent.

§ 95.47 Types of emission.

(a) Except as provided in paragraph (e) of this section, Class A stations in this service will normally be authorized to transmit radiotelephony only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention is prohibited.

(b) Class B stations in this service are authorized to use amplitude or frequency modulation, or on-off unmodulated carrier, and may be used for radiotelephony, to control remote objects or devices by means of radio, or to remotely actuate devices which are used as a means of attracting attention.

(c) Class C stations in this service are authorized to use amplitude tone modulation or on-off unmodulated carrier only, for the control of remote objects or devices by radio or for the remote actuation of devices which are used solely as a means of attracting attention. The transmission of any form of telegraphy, telephony or record communications by a Class C station is prohibited. Telemetering, except for the transmission of simple, short duration signals indicating the presence or absence of a condition or the occurrence of an event, is also prohibited.

(d) Class D stations in this service are authorized to use amplitude voice modulation, including single sideband and/or reduced or suppressed carrier, for radiotelephone communications only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention or for the control of remote objects or devices is prohibited.

(e) Other types of emission not described in paragraph (a) of this section may be authorized for Class A citizens radio stations upon a showing of need therefor. An application requesting such authorization shall fully describe the emission desired, shall indicate the bandwidth required for satisfactory communication, and shall state the purpose for which such emission is required. For information regarding the classification of emissions and the calculation of bandwidth, reference should be made to Part 2 of this chapter.

§ 95.49 Emission limitations.

(a) Each authorization issued to a Class A citizens radio station will show, as a prefix to the classification of the authorized emission, a figure specifying the maximum bandwidth to be occupied by the emission.

(b) All operation of a Class B citizens radio station (including tolerance and bandwidth occupied by the emission) shall be confined to the frequency band 462.525–467.475 Mc/s.

(c) Except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the maximum authorized bandwidth of the emission of any station employing amplitude modulation (Type A2 or A3 emission) shall be 8 kilocycles, and the maximum authorized bandwidth of the emission of any station employing frequency or phase modulation (Type F2 or F3 emission) shall be 40 kilocycles. The use of Type F2 or F3 emission in the frequency band 26.96–27.28 Mc/s is not authorized.

(d) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: At least 25 decibels;

(2) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels;

(3) On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth, at least the amounts indicated in the following table:

Maximum authorized power input to final radio frequency stage:	*Attenuation (db)*
Over 3 watts	50
3 watts or less	[1] 40

[1] In the case of Class B stations having a maximum power input to the final radio frequency stage of 3 watts or less, any emission appearing on any frequency within a band allocated to industrial, scientific, and medical equipment under the provisions of Part 2 of this chapter shall be attenuated at least 30 db.

(e) When an unauthorized emission results in harmful interference, the Commission may, in its discretion, require appropriate technical changes in equipment to alleviate the interference.

§ 95.51 Modulation limitations.

(a) When the radio frequency carrier of a station in this service is amplitude modulated, such modulation shall not exceed 100 percent on positive or negative peaks.

(b) Except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the frequency deviation of any frequency modulated transmitter operated in this service shall not exceed ±15 kc/s and the simultaneous amplitude modulation and frequency or phase modulation of a transmitter is not authorized.

§ 95.53 Compliance with technical requirements.

(a) Upon receipt of notification from the Commission of a deviation from the technical requirements of the rules in this part, the radiations of the transmitter involved shall be suspended immediately, except for necessary tests and adjustments, and shall not be resumed until such deviation has been corrected.

(b) When any citizens radio station licensee receives a notice of violation indicating that the station has been operated contrary to any of the provisions contained in Subpart C of this part, or where it otherwise appears that operation of a station in this service may not be in accordance with applicable technical standards, the Commission may require the licensee to conduct such tests as may be necessary to determine whether the equipment is capable of meeting these standards and to make such adjustments as may be necessary to assure compliance therewith. A licensee who is notified that he is required to conduct such tests and/or make adjustments must, within the time limit specified in the notice, report to the Commission the results thereof.

(c) All tests and adjustments which may be required in accordance with paragraph (b) of this section shall be made by, or under the immediate supervision of, a person holding a first- or second-class commercial operator license, either radiotelephone or radio telegraph as may be appropriate for the type of emission employed. In each case, the report which is submitted to the Commission shall be signed by the licensed commercial operator. Such report shall describe the results of the tests and adjustments, the test equipment and procedures used, and shall state the type, class, and serial number of the operator's license. A copy of this report shall also be kept with the station records.

§ 95.55 Acceptability of transmitters for licensing.

(a) Except as provided in § 95.69, transmitters authorized for operation at Class B stations, and noncrystal controlled transmitters authorized for operation at Class C and Class D stations in the band 26.96–27.26 Mc/s under this part shall be type approved by the Commission.

(b) Transmitters authorized for operation under this part at Class A stations, and at Class C stations in the band 72–76 Mc/s, shall be type accepted by the Commission.

(c) Type approved and type accepted transmitters for use under this part are included in the Commission's Radio Equipment List, Part C. Copies of this list are available for public reference at the Commission's Washington, D.C., offices and field offices.

§ 95.57 Type acceptance of equipment.

(a) Any manufacturer of a transmitter to be built for use in this service, except Class B station equipment and noncrystal controlled Class C and Class D equipment for operation in the band 26.96–27.26 Mc/s, may request type acceptance for such equipment by following the type acceptance procedure set forth in Subpart F of Part 2 of this chapter.

(b) Type acceptance for an individual transmitter may also be requested by an applicant for a station authorization by following the type acceptance procedures set forth in Part 2 of this chapter. Such transmitters, if accepted, will not normally be included on the Commission's "Radio Equipment List, Part C", but will be individually enumerated on the station authorization.

(c) Additional rules with respect to type acceptance are set forth in Part 2 of this chapter. These rules include information with respect to withdrawal of type acceptance, modification of type-accepted equipment, and limitations on the findings upon which type acceptance is based.

§ 95.59 Submission of Class B and non-crystal controlled Class C or Class D station equipment for type approval.

(a) Manufacturers of equipment capable of being used or operated in this service may submit units of such equipment to the Commission for type approval, upon grant of request therefor made in writing by the manufacturer to the Secretary of the Commission. Such a request normally will not be granted unless at least 100 units of the model to be submitted are scheduled for manufacture. When advised by the Commission, the applicant must send a typical production model or prototype of the particular equipment complete with tubes and power supply to the Commission's laboratory at Laurel, Maryland, for tests. All instructions which are intended to be supplied to the purchaser of the equipment shall be included. Transportation of the equipment and associated documents to and from the laboratory shall be at no cost to the Government.

(b) Prior to approval or rejection of the equipment the results of these tests will be made known only to the responsible Government officials and to the Commission. An official report of the tests will be made available only to the manufacturer involved; however, the Commission will publish from time to time lists of approved equipment.

(c) The prescribed tests may be conducted by the Federal Communications Commission or by any other cooperating Government department. In addition, field tests, as deemed necessary or desirable by the

§ 95.45 Frequency tolerance.

The carrier frequency of a station in this service shall be maintained within the following percentage of the authorized frequency:

Class of station	Maximum authorized power input	Frequency tolerance	
		Fixed and base	Mobile
A	3 watts or less	[1] 0.00025	[1] 0.0005
A	Over 3 watts	[1] .00025	[1] .0005
B	3 watts or less		.5
B	Over 3 watts		.3
C	5 watts or less [2]		.005
C	Over 5 watts (27.255 Mc/s only)		.005
D	5 watts or less		.005

[1] Effective Nov. 1, 1967. Stations authorized before Nov. 1, 1967, may continue to operate with tolerance of 0.001 percent, or .005 for mobile stations, with 3 watts or less power until Nov. 1, 1971.

[2] Class C stations operating on authorized frequencies between 26.99 and 27.26 Mc/s with 3 watts or less power input which are used solely for the control of remote objects or devices by radio (other than devices used solely as a means of attracting attention) are permitted a frequency tolerance of 0.01 percent.

[*§ 95.45 amended eff. 1-9-67; VI(66)-1*]

§ 95.47 Types of emission.

(a) Except as provided in paragraph (e) of this section, Class A stations in this service will normally be authorized to transmit radiotelephony only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention is prohibited.

(b) Class B stations in this service are authorized to use amplitude or frequency modulation, or on-off unmodulated carrier, and may be used for radiotelephony, to control remote objects or devices by means of radio, or to remotely actuate devices which are used as a means of attracting attention.

(c) Class C stations in this service are authorized to use amplitude tone modulation or on-off unmodulated carrier only, for the control of remote objects or devices by radio or for the remote actuation of devices which are used solely as a means of attracting attention. The transmission of any form of telegraphy, telephony or record communications by a Class C station is prohibited. Telemetering, except for the transmission of simple, short duration signals indicating the presence or absence of a condition or the occurrence of an event, is also prohibited.

(d) Class D stations in this service are authorized to use amplitude voice modulation, including single sideband and/or reduced or suppressed carrier, for radiotelephone communications only. However, the use of tone signals or signaling devices solely to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or establish and maintain voice communications, is permitted. The use of tone signals solely to attract attention or for the control of remote objects or devices is prohibited.

(e) Other types of emission not described in paragraph (a) of this section may be authorized for Class A citizens radio stations upon a showing of need therefor. An application requesting such authorization shall fully describe the emission desired, shall indicate the bandwidth required for satisfactory communication, and shall state the purpose for which such emission is required. For information regarding the classification of emissions and the calculation of bandwidth, reference should be made to Part 2 of this chapter.

§ 95.49 Emission limitations.

(a) Each authorization issued to a Class A citizens radio station will show, as a prefix to the classification of the authorized emission, a figure specifying the maximum bandwidth to be occupied by the emission.

(b) All operation of a Class B citizens radio station (including tolerance and bandwidth occupied by the emission) shall be confined to the frequency band 462.525–467.475 Mc/s.

(c) (1) Except as provided in subparagraph (2) of this paragraph and except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the maximum authorized bandwidth of the emission of any station employing amplitude modulation (Type A2 or A3 emission) shall be 8 kc/s and the maximum authorized bandwidth of the emission of any station employing frequency or phase modulation (Type F2 or F3 emission) shall be 40 kc/s. The use of Type F2 or F3 emission in the frequency band 26.96–27.28 Mc/s is not authorized.

(2) Effective November 1, 1967, the maximum authorized bandwidth of Class A stations employing frequency or phase modulation (Type F2 or F3 emission) will be 20 kc/s. Class A stations authorized before November 1, 1967, may continue to operate with maximum 40 kc/s bandwidth until November 1, 1971.

(d) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: At least 25 decibels;

(2) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels;

(3) On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth, at least the amounts indicated in the following table:

Maximum authorized power input to final radio frequency stage:	*Attenuation (db)*
Over 3 watts	50
3 watts or less	[1] 40

[1] In the case of Class B stations having a maximum power input to the final radio frequency stage of 3 watts or less, any emission appearing on any frequency within a band allocated to industrial, scientific, and medical equipment under the provisions of Part 2 of this chapter shall be attenuated at least 30 db.

(e) When an unauthorized emission results in harmful interference, the Commission may, in its discretion, require appropriate technical changes in equipment to alleviate the interference.

[*§ 95.49(c) amended eff. 1-9-67; VI(66)-1*]

§ 95.51 Modulation requirements.

(a) When the radio frequency carrier of a station in this service is amplitude modulated, such modulation shall not exceed 100 percent on positive or negative peaks.

(b) Except as provided in paragraph (c) of this section and except in the case of Class B citizens radio stations operating only on the frequency 465.00 Mc/s (see § 95.41(b)), the frequency deviation of any frequency modulated transmitter operated in this service shall not exceed ±15 kc/s and the simultaneous amplitude modulation and frequency or phase modulation of a transmitter is not authorized.

(c) Effective June 1, 1967, the maximum frequency deviation for all Class A stations employing F2 or F3 emission will be ±5 kc/s.

(d) Class A stations authorized on or after November 1, 1967, shall be provided with a device which automatically will prevent modulation in excess of that specified in this subpart which may be caused by greater than normal audio level. Class A stations authorized before November 1, 1967, will be required to comply with the provisions of this paragraph by November 1, 1971: *Provided, however,* That the requirements of this paragraph shall not apply to transmitters authorized to operate as mobile stations with a maximum plate power input to the final radio frequency stage of 3 watts or less.

(e) Each transmitter of a Class A station which is equipped with a modulation limiter in accordance with the provisions of paragraph (d) of this section shall also be equipped with an audio low-pass filter. This audio low-pass filter shall be installed between the modulation limiter and the modulated stage and, at audio frequencies between 3 kc/s and 20 kc/s, shall have an attenuation greater than the attenuation at 1 kc/s by at least:

$$60 \log_{10} (f/3) \text{ decibels}$$

where "f" is the audiofrequency in kc/s. At audio frequencies above 20 kc/s, the attenuation shall be at least 50 decibels greater than the attenuation at 1 kc/s.

[*§ 95.51 Headnote and (b) amended, (c), (d), and (e) adopted eff. 1-9-67; VI(66)-1*]

§ 95.53 Compliance with technical requirements.

(a) Upon receipt of notification from the Commission of a deviation from the technical requirements of the rules in this part, the radiations of the transmitter involved shall be suspended immediately, except for necessary tests and adjustments, and shall not be resumed until such deviation has been corrected.

(b) When any citizens radio station licensee receives a notice of violation indicating that the station has been operated contrary to any of the provisions contained in Subpart C of this part, or where it otherwise appears that operation of a station in this service

necessary for the detection, measurement, and suppression of harmonic or other spurious radiation. Test transmissions using a radiating antenna shall not exceed a total of 1 minute during any 5-minute period, shall not interfere with communications already in progress on the operating frequency, and shall be properly identified as required by § 95.95, but may otherwise be unmodulated as appropriate.

§ 95.95 Station identification.

(a) The serial number on each citizens radio station license is the call sign assigned to such station. Except in the case of Class A stations having call signs in the international series, there shall be no continuity in the call sign assigned to a particular station, and a new call sign will be assigned on renewal or modification.

(b) Each transmission of the station call sign shall be made in the English language by each unit, shall be complete, and each letter and digit shall be separately and distinctly transmitted. Only standard phonetic alphabets, nationally or internationally recognized, may be used in lieu of pronunciation of letters for voice transmission of call signs. A unit designator or special identification may be used in addition to the station call sign but not as a substitute therefor.

(c) Except as provided in paragraph (d) of this section, all transmissions from each unit of a citizens radio station shall be identified by the transmission of its assigned call sign at the beginning and end of each transmission or series of transmissions directed to or exchanged with a unit of the same station or units of other stations. Each required identification shall include not only the call sign of the station unit transmitting, but also the call sign of the station or stations with which the transmitting unit is communicating, or attempting to communicate. In the case of communications between units of the same station (intrastation), after identifying itself by its assigned call sign, the transmitting unit may identify the other units by unit designators. For communications between units of different stations (interstation), the complete sign of all stations involved must be transmitted. If the call sign of the station being called is not known, the name or trade name may be used, but when contact has been made the called station shall thereafter be identified by its call sign. Examples of proper identification procedure are set forth at the end of this paragraph. Where transmissions or exchanges of transmissions of greater length are permitted by this part, the identification shall also be transmitted at least every 15 minutes. Each transmission or exchange of transmissions conducted on different frequencies shall be fully and separately identified in accordance with the foregoing on each frequency used.

EXAMPLES OF PROPER IDENTIFICATION

Intrastation communications:
(1) Calling: "KZZ 0001 base, calling unit 2."
Response: "KZZ 0001 unit 2, to base, over."
Clearing: "KZZ 0001 base, clear with unit 2" and "KZZ 0001 unit 2, clear with base."
(2) Calling: "KZZ 0001 unit 1, calling unit 3."
Response: "KZZ 0001 unit 3, to unit 1, over."
Clearing: "KZZ 0001 unit 1, clear with unit 3" and "KZZ 0001 unit 3, clear with unit 1."
Interstation communications:
Calling: "KZZ 0001 calling KZZ 0002," or "KZZ 0001 calling KZZ 0002 unit 3" (if appropriate).
Response: "KZZ 0002 to KZZ 0001, over."
Clearing: "KZZ 0001 clear with KZZ 0002," and "KZZ 0002 clear with KZZ 0001."

(d) Identification of the transmission of a citizens radio station used for the control of remote objects or for the remote actuation of attention attracting devices is not required except upon specific instruction from the Commission.

§ 95.97 Operator license requirements.

(a) No operator license is required for the operation of a citizens radio station except that stations manually transmitting Morse Code shall be operated by the holders of a third or higher class radiotelegraph operator license.

(b) Except as provided in paragraph (c) of this section, all transmitter adjustments or tests while radiating energy during or coincident with the construction, installation, servicing, or maintenance of a radio station in this service, which may affect the proper operation of such stations, shall be made by or under the immediate supervision and responsibility of a person holding a first- or second-class commercial radio operator license, either radiotelephone or radio telegraph, as may be appropriate for the type of emission employed, and such person shall be responsible for the proper functioning of the station equipment at the conclusion of such adjustments or tests. Further, in any case where a transmitter adjustment which may affect the proper operation of the transmitter has been made while not radiating energy by a person not the holder of the required commercial radio operator license or not under the supervision of such licensed operator, other than the factory assembling or repair of equipment, the transmitter shall be checked for compliance with the technical requirements of the rules by a commercial radio operator of the proper grade before it is placed on the air.

(c) Except as provided in § 95.53 and in paragraph (d) of this section, no commercial radio operator license is required to be held by the person performing transmitter adjustments or tests during or coincident with the construction, installation, servicing, or maintenance of Class C or Class D stations in this service: *Provided*, That there is compliance with all of the following conditions:

(1) The transmitting equipment shall be crystal-controlled with a crystal capable of maintaining the station frequency within the prescribed tolerance;

(2) The transmitting equipment either shall have been factory assembled or shall have been provided in kit form by a manufacturer who provided all compo-

nents together with full and detailed instructions for their assembly by nonfactory personnel;

(3) The frequency determining elements of the transmitter, including the crystal(s) and all other components of the crystal oscillator circuit, shall have been preassembled by the manufacturer, pretuned to a specific available frequency, and sealed by the manufacturer so that replacement of any component or any adjustment which might cause off-frequency operation cannot be made without breaking such seal and thereby voiding the certification of the manufacturer required by this paragraph;

(4) The transmitting equipment shall have been so designed that none of the transmitter adjustments or tests normally performed during or coincident with the installation, servicing, or maintenance of the station, or during the normal rendition of the service of the station, or during the final assembly of kits or partially preassembled units, may reasonably be expected to result in off-frequency operation, excessive input power, overmodulation, or excessive harmonics or other spurious emissions; and

(5) The manufacturer of the transmitting equipment or of the kit from which the transmitting equipment is assembled shall have certified in writing to the purchaser of the equipment (and to the Commission upon request) that the equipment has been designed, manufactured, and furnished in accordance with the specifications contained in the foregoing subparagraphs of this paragraph. The manufacturer's certification concerning design and construction features of Class C or Class D station transmitting equipment, as required if the provisions of this paragraph are invoked, may be specific as to a particular unit of transmitting equipment or general as to a group or model of such equipment, and may be in any form adequate to assure the purchaser of the equipment or the Commission that the conditions described in this paragraph have been fulfilled.

(d) Any tests and adjustments necessary to correct any deviation of a transmitter of any Class of station in this service from the technical requirements of the rules in this part shall be made by, or under the immediate supervision of, a person holding a first- or second-class commercial operator license, either radiotelephone or radiotelegraph, as may be appropriate for the type of emission employed.

§ 95.101 Posting station licenses and transmitter identification cards or plates.

(a) The current authorization for each station (including units of a Class B, Class C or Class D station) operated at a fixed location shall be posted at a conspicuous place at the principal fixed location from which such station is controlled, and a photocopy of such authorization shall be posted at all other fixed locations from which the station is controlled. In addition, an executed Transmitter Identification Card (FCC Form 452–C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each transmitter operated at a fixed location when such transmitter is not in view of, or is not readily accessible to, the operator of at least one of the locations at which the station authorization or a photocopy thereof is required to be posted.

(b) The current authorization for each station operated as a mobile station shall be retained as a permanent part of the station records, but need not be posted. In addition, an executed Transmitter Identification Card (FCC Form 452–C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each of such transmitters: *Provided*, That, if the transmitter is not in view of the location from which it is controlled, or is not readily accessible for inspection, then such card or plate shall be affixed to the control equipment at the transmitter operating position or posted adjacent thereto.

§ 95.103 Inspection of stations and station records.

All stations and records of stations in the Citizens Radio Service shall be made available for inspection upon the request of an authorized representative of the Commission made to the licensee or to his representative (see § 1.6 of this chapter). Unless otherwise stated in this part, all required station records shall be maintained for a period of at least 1 year.

§ 95.105 Current copy of rules required.

Each licensee in this service shall maintain as a part of his station records a current copy of Part 95, Citizens Radio Service, of this chapter.

§ 95.107 Inspection and maintenance of tower marking and associated control equipment.

The licensee of any radio station which has an antenna structure required to be painted or illuminated pursuant to the provisions of section 303(q) of the Communications Act of 1934, as amended, and/or Part 17 of this chapter shall operate and maintain the tower marking and associated control equipment in accordance with the following paragraphs of this section.

(a) The tower lights shall be observed at least once each 24 hours, either visually or by observing an automatic and properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly as required; or, alternatively, there shall be provided and properly maintained an automatic alarm system designed to detect any failure of the tower lights and to provide indication of such failure to the licensee.

(b) Any observed or otherwise known failure of a code or rotating beacon light or top light not corrected within 30 minutes, regardless of the cause of such failure, shall be reported immediately by telephone or telegraph to the nearest Air Traffic Communications Station or office of the Federal Aviation Agency. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

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AUTHORITY: §§ 97.1 to 97.313 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. Sub. Chap. I, III–VI.

SUBPART A—GENERAL

§ 97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

(a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications.

(b) Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.

(c) Encouragement and improvement of the amateur radio service through rules which provide for advancing skills in both the communication and technical phases of the art.

(d) Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.

(e) Continuation and extension of the amateur's unique ability to enhance international good will.

§ 97.3 Definitions.

(a) *Amateur service.* A radio service carried on by amateur stations.

(b) *Amateur operator.* A person interested in radio technique solely with a personal aim and without pecuniary interest, holding a valid license issued by the Federal Communications Commission authorizing him to operate licensed amateur stations.

(c) *Amateur station.* A station used by an amateur operator, and embracing all radio transmitting apparatus at a particular location used for amateur service and operated under a single instrument of authorization.

(d) *Amateur portable station.* An amateur station that is so constructed that it may conveniently be moved about from place to place for communication, but which is not operated while in motion.

(e) *Amateur mobile station.* An amateur station that is so constructed that it may conveniently be transferred to or from a mobile unit or from one such unit to another, and is ordinarily used while such mobile unit is in motion.

(f) *Amateur radio communication.* Radio communication between amateur stations solely with a personal aim and without pecuniary interest.

(g) *Remote control.* Control of transmitting equipment of an amateur station from an operating position other than one at which the transmitter is in view and immediately accessible, except that, direct mechanical control or direct electrical control by wired connections of an amateur transmitter from a point located on board any aircraft, vessel or vehicle on which such transmitter is located shall not be considered remote control within the meaning of this definition.

(h) *Antenna structure.* The radiating system, including its supporting structures, and any surmounting appurtenances.

(i) *Aircraft landing area.* Any locality, either on land or water, including airports and intermediate landing fields, which is used, or approved for use, for landing and take-off of aircraft whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for the receiving or discharging of passengers or cargo.

SUBPART B—AMATEUR OPERATOR AND STATION LICENSES

OPERATOR LICENSES

§ 97.5 Classes of operator licenses.

Amateur extra class.
Advanced class (previously class A).
General class (previously class B).
Conditional class (previously class C).
Technician class.
Novice class.

§ 97.7 Privileges of operator licenses.

(a) *Amateur extra class.* All authorized amateur privileges including such additional privileges in both communication and technical phases of the art which the Commission may consider as appropriately limited to holders of this class of license.

(b) *Advanced class.* All amateur privileges except those which may be reserved to holders of the Amateur Extra Class license.

(c) *General and Conditional classes.* All authorized amateur privileges.

(d) *Technician Class.* All authorized amateur privileges in the amateur frequency bands 50 to 54 Mc/s, 145 to 147 Mc/s and in the amateur frequency bands above 220 Mc/s.

(e) *Novice class.* Those amateur privileges as designated and limited as follows:

(1) The d.c. plate power input to the vacuum tube or tubes supplying power to the antenna shall not exceed 75 watts.

(2) Only the following frequency bands and types of emission may be used, and the emissions of the transmitter must be crystal-controlled:

(i) 3700 to 3750 kc/s, radiotelegraphy using only type A1 emission.

(ii) 7150–7200 kc/s, radiotelegraphy using only type A1 emission.

(iii) 21.10 to 21.25 Mc/s, radiotelegraphy using only type A1 emission.

(iv) 145 to 147 Mc/s, radiotelegraphy or radiotelephony using types of emission as set forth in § 97.61.

§ 97.9 Eligibility for new operator license.

Persons are eligible to apply for the various classes of amateur operator licenses as follows:

(a) *Amateur extra class.* Any citizen or national of the United States who either (1) at any time prior to receipt of his application by the Commission has held for a period of 2 years or more a valid amateur operator license issued by the Federal Communications Commission, excluding licenses of the Novice and Technician Classes, or (2) submits evidence of having held a valid amateur radio station or operator license issued by any agency of the U.S. Government during or prior to April 1917.

(b) *Advanced class.* New Advanced Class amateur operator licenses will not be issued; however, Advanced Class (or Class A) licenses may continue to be renewed as set forth in § 97.13.

(c) *General class.* Any citizen or national of the United States.

(d) *Conditional class.* Any citizen or national of the United States:

(1) Whose actual residence and amateur station location are more than 175 miles airline distance from the nearest location at which examinations are held at intervals of not more than 6 months for General Class amateur operator licenses.

(2) Who is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(3) Who is shown by certificate of the commanding officer to be in the armed forces of the United States at any Army, Navy, Air Force, or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(4) Who furnishes sufficient evidence, at the time of filing, of temporary residence for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this paragraph.

(e) *Technician class.* Any citizen or national of the United States.

(f) *Novice class.* Any citizen or national of the United States except a former holder of an amateur license of any class issued by any agency of the U.S. Government, military or civilian.

[*§ 97.9(a), (c), (d), (e), and (f) amended eff. 12–15–66; VI(66)–1*]

SUBPART A—GENERAL

§ 97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

(a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications.

(b) Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.

(c) Encouragement and improvement of the amateur radio service through rules which provide for advancing skills in both the communication and technical phases of the art.

(d) Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.

(e) Continuation and extension of the amateur's unique ability to enhance international good will.

§ 97.3 Definitions.

(a) *Amateur service.* A radio service carried on by amateur stations.

(b) *Amateur operator.* A person interested in radio technique solely with a personal aim and without pecuniary interest, holding a valid license issued by the Federal Communications Commission authorizing him to operate licensed amateur stations.

(c) *Amateur station.* A station used by an amateur operator, and embracing all radio transmitting apparatus at a particular location used for amateur service and operated under a single instrument of authorization.

(d) *Amateur portable station.* An amateur station that is so constructed that it may conveniently be moved about from place to place for communication, but which is not operated while in motion.

(e) *Amateur mobile station.* An amateur station that is so constructed that it may conveniently be transferred to or from a mobile unit or from one such unit to another, and is ordinarily used while such mobile unit is in motion.

(f) *Amateur radio communication.* Radio communication between amateur stations solely with a personal aim and without pecuniary interest.

(g) *Remote control.* Control of transmitting equipment of an amateur station from an operating position other than one at which the transmitter is in view and immediately accessible, except that, direct mechanical control or direct electrical control by wired connections of an amateur transmitter from a point located on board any aircraft, vessel or vehicle on which such transmitter is located shall not be considered remote control within the meaning of this definition.

(h) *Antenna structure.* The radiating system, including its supporting structures, and any surmounting appurtenances.

(i) *Aircraft landing area.* Any locality, either on land or water, including airports and intermediate landing fields, which is used, or approved for use, for landing and take-off of aircraft whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for the receiving or discharging of passengers or cargo.

SUBPART B—AMATEUR OPERATOR AND STATION LICENSES

OPERATOR LICENSES

§ 97.5 Classes of operator licenses.

Amateur extra class.
Advanced class (previously class A).
General class (previously class B).
Conditional class (previously class C).
Technician class.
Novice class.

§ 97.7 Privileges of operator licenses.

(a) *Amateur extra class.* All authorized amateur privileges including such additional privileges in both communication and technical phases of the art which the Commission may consider as appropriately limited to holders of this class of license.

(b) *Advanced class.* All amateur privileges except those which may be reserved to holders of the Amateur Extra Class license.

(c) *General and Conditional classes.* All authorized amateur privileges.

(d) *Technician Class.* All authorized amateur privileges in the amateur frequency bands 50 to 54 Mc/s, 145 to 147 Mc/s and in the amateur frequency bands above 220 Mc/s.

(e) *Novice class.* Those amateur privileges as designated and limited as follows:

(1) The d.c. plate power input to the vacuum tube or tubes supplying power to the antenna shall not exceed 75 watts.

(2) Only the following frequency bands and types of emission may be used, and the emissions of the transmitter must be crystal-controlled:

(i) 3700 to 3750 kc/s, radiotelegraphy using only type A1 emission.

(ii) 7150–7200 kc/s, radiotelegraphy using only type A1 emission.

(iii) 21.10 to 21.25 Mc/s, radiotelegraphy using only type A1 emission.

(iv) 145 to 147 Mc/s, radiotelegraphy or radiotelephony using types of emission as set forth in § 97.61.

§ 97.9 Eligibility for new operator license.

Persons are eligible to apply for the various classes of amateur operator licenses as follows:

(a) *Amateur extra class.* Any citizen of the United States who either (1) at any time prior to receipt of his application by the Commission has held for a

period of two years or more a valid amateur operator license issued by the Federal Communications Commission, excluding licenses of the Novice and Technician Classes, or (2) submits evidence of having held a valid amateur radio station or operator license issued by any agency of the United States Government during or prior to April, 1917.

(b) *Advanced class.* New Advanced Class amateur operator licenses will not be issued; however, Advanced Class (or Class A) licenses may continue to be renewed as set forth in § 97.13.

(c) *General class.* Any citizen of the United States.

(d) *Conditional Class.* Any citizen of the United States:

(1) Whose actual residence and amateur station location are more than 175 miles airline distance from the nearest location at which examinations are held at intervals of not more than 6 months for General Class amateur operator licenses.

(2) Who is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(3) Who is shown by certificate of the commanding officer to be in the armed forces of the United States at an Army, Navy, Air Force or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(4) Who furnishes sufficient evidence, at the time of filing, of temporary residence for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this paragraph.

(e) *Technician class.* Any citizen of the United States.

(f) *Novice class.* Any citizen of the United States except a former holder of an amateur license of any class issued by any agency of the United States Government, military or civilian.

§ 97.11 Application for operator license.

(a) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which will require an examination supervised by Commission personnel at a regular Commission examining office shall be submitted to such office in advance of or at the time of the examination, except that, whenever an examination is to be taken at a designated examination point away from a Commission office, the application, together with the necessary filing fee should be submitted in advance of the examination date to the office which has jurisdiction over the examination point involved.

(b) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which requests an examination supervised by a volunteer examiner under the provisions of § 97.29(b), shall be submitted to the Commission's office at Gettysburg, Pennsylvania, 17325. The application shall be accompanied by any necessary filing fee and by a request for the written examination material (see § 97.29(b)).

(c) An application (FCC Form 610) for renewal and/or modification of license when no change in operating privileges is involved shall be submitted, together with any necessary filing fee, to the Commission's office at Gettysburg, Pennsylvania, 17325.

§ 97.13 Renewal or modification of operator license.

(a) An amateur operator license, except the Novice Class, may be renewed upon proper application in which it is stated that the applicant has lawfully accumulated, at an amateur station licensed by the Commission, a minimum total of either 2 hours operating time during the last 3 months or 5 hours operating time during the last 12 months of the license term. Such operating time, for the purpose of renewal, shall be counted as the total of all that time between the entries in the station log showing the beginning and end of transmissions as required in § 97.103(a), both during single transmissions and during a sequence of transmissions. The application shall, in addition to the foregoing, include a statement that the applicant can send by hand key, i.e., straight key or any other type of hand operated key such as a semi-automatic or electronic key, and receive by ear, in plain language, messages in the International Morse Code at a speed of not less than that which is required in qualifying for an original license of the class being renewed.

NOTE: Until further order of the Commission, the showing that the applicant actually operated an amateur radio station or stations for the periods of time specified in § 97.13 will not be required in cases where it is shown that the applicant was unable to conduct such operation because he was on active duty overseas in the armed forces of the United States or was duly enrolled as an employee of an agency of the Federal Government and in the course of such employment was on duty in a foreign country continuously during the last year of the license term: *Provided,* That any such employee of the Federal Government shall submit with his application for renewal of license a statement signed by his agency head, or the chief of the Bureau or Division in which he is employed attesting to such employment.

(b) The Novice Class license will not be renewed.

(c) The applicant shall qualify for a new license by examination if the requirements of this section are not fulfilled.

(d) Application for renewed and/or modification of an amateur operator license shall be submitted on FCC Form 610 and shall be accompanied by the applicant's license. Application for renewal of unexpired licenses must be made during the license term and should be filed within 90 days but not later than 30 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of an unexpired license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(e) If a license is allowed to expire, application for renewal may be made during a period of grace of one

§ 97.11 Application for operator license.

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NOTE: Until further order of the Commission, the showing that the applicant actually operated an amateur radio station or stations for the periods of time specified in § 97.13 will not be required in cases where it is shown that the applicant was unable to conduct such operation because he was on active duty overseas in the armed forces of the United States or was duly enrolled as an employee of an agency of the Federal Government and in the course of such employment was on duty in a foreign country continuously during the last year of the license term: *Provided,* That any such employee of the Federal Government shall submit with his application for renewal of license a statement signed by his agency head, or the chief of the Bureau or Division in which he is employed attesting to such employment.

(b) The Novice Class license will not be renewed.

(c) The applicant shall qualify for a new license by examination if the requirements of this section are not fulfilled.

(d) Application for renewed and/or modification of an amateur operator license shall be submitted on FCC Form 610 and shall be accompanied by the applicant's license. Application for renewal of unexpired licenses must be made during the license term and should be filed within 90 days but not later than 30 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of an unexpired license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(e) If a license is allowed to expire, application for renewal may be made during a period of grace of one

year after the expiration date. During this one year period of grace, an expired license is not valid. A license renewed during the grace period will be dated currently and will not be backdated to the date of its expiration. Application for renewal shall be submitted on FCC Form 610 and shall be accompanied by the applicant's expired license.

(f) When the name of a licensee is changed or when the mailing address is changed a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, the radio station call sign and class of operator license. The notice shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be kept by the licensee until a new license is issued.

OPERATOR LICENSE EXAMINATIONS

§ 97.19 When examination is required.

Examination is required for the issuance of a new amateur operator license, and for a change in class of operating privileges. Credit may be given, however, for certain elements of examination as provided in § 97.25.

§ 97.21 Examination elements.

Examinations for amateur operator privileges will comprise one or more of the following examination elements:

Element 1 (A): *Beginner's code test.* Code test at five (5) words per minute.

Element 1 (B): *General code test.* Code test at thirteen (13) words per minute.

Element 1 (C): *Expert's code test.* Code test at twenty (20) words per minute.

Element 2: *Basic amateur practice.* Amateur radio operation and apparatus, including radiotelephone and radiotelegraph.

Element 3 (A): *Basic law.* Rules and regulations essential to beginners' operation, including sufficient elementary radio theory for the understanding of those rules.

Element 3 (B): *General regulations.* Provisions of treaties, statutes, and rules and regulations affecting all amateur stations and operators.

Element 4 (B): *Advanced amateur practice.* Advanced radio theory and operation as applicable to modern amateur techniques, including, but not limited to, radiotelephony, radiotelegraphy, and transmissions of energy for measurements and observations applied to propagation, for the radio control of remote objects and for similar experimental purposes.

§ 97.23 Examination requirements.

Applicants for original licenses will be required to pass examinations as follows:

(a) *Amateur extra class.* Elements 1 (C), 2, 3 (B) and 4 (B).

(b) *General class.* Elements 1 (B), 2 and 3 (B).

(c) *Conditional class.* Elements 1 (B), 2 and 3 (B).

(d) *Technician class.* Elements 1 (A), 2 and 3 (B).

(e) *Novice class.* Elements 1 (A) and 3 (A).

§ 97.25 Examination credit.

(a) An applicant for a higher class of amateur operator license who holds a valid amateur operator license issued upon the basis of an examination by the Commission will be required to pass only those elements of the higher class examination that were not included in the examination for the amateur license held when such application was filed. However, credit will not be allowed for licenses issued on the basis of an examination given under the provisions of § 97.29(b).

(b) An applicant for any class of amateur operator license, except the Extra Class, will be given credit for the telegraph code element if within five years prior to the receipt of his application by the Commission he held a commercial radiotelegraph operator license or permit issued by the Federal Communications Commission.

(c) An applicant for Amateur Extra Class operator license will be given credit for examination elements 1 (C) and 4 (B) if he so requests and submits evidence of having held a valid amateur radio station or operator license issued by any agency of the United States Government during or prior to April 1917, and qualifies for or currently holds a valid amateur operator license of the General or Advanced Class.

(d) No examination credit, except as herein provided, shall be allowed on the basis of holding or having held any amateur or commercial operator license.

§ 97.27 Availability of Conditional Class license examinations.

The examinations for Conditional Class will be available only under one or more of the following conditions:

(a) If the applicant's actual residence and proposed amateur station location are more than 175 miles airline distance from the nearest location at which examinations are conducted by an authorized Commission employee or representative at intervals of not more than 6 months for amateur operator license.

(b) If the applicant is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(c) If the applicant is shown by certificate of the commanding officer to be in the armed forces of the United States at an Army, Navy, Air Force, or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(d) If the applicant demonstrates by sufficient evidence that his temporary residence is for a continuous period of at least 12 months outside the continental sions, irrespective of other provisions of this section. limits of the United States, its territories or posses-

§ 97.29 Manner of conducting examinations.

(a) The examinations for Extra and General Classes of amateur operator licenses will be conducted by an authorized Commission employee or representative at locations and at times specified by the Commission.

(b) Unless otherwise prescribed by the Commission, an examination for the Conditional, Technician, or Novice Class license will be conducted and supervised by a volunteer examiner selected by the applicant. A volunteer examiner shall be at least 21 years of age and shall be the holder of an Extra, Advanced, or General Class Amateur Radio operator license, or shall hold a Commercial radiotelegraph operator license issued by the Commission, or shall be employed in the service of the United States as the operator of a manually operated radiotelegraph station. The written portion of the examination shall be obtained, supervised, and submitted in accordance with the following procedure:

(1) Within 10 days after passing the required code test, an applicant shall submit an application (FCC Form 610), together with any filing fee prescribed, to the Commission's office at Gettysburg, Pennsylvania, 17325. The application shall include a written request from the volunteer examiner for the appropriate examination papers. The examiner's written request shall include (i) the names and permanent addresses of the examiner and the applicant, (ii) a description of the examiner's qualifications to administer the examination, (iii) the examiner's statement that the applicant has passed the code test for the class of license involved under his supervision within the 10 days prior to submission of the request, and (iv) the examiner's written signature. Examination papers will be forwarded only to the volunteer examiner.

NOTE: When the applicant is entitled to examination credit for the code test pursuant to § 97.25(b), an application may be submitted without regard to the 10 day limitation. The examiner's request should then state that a code test was not administered for that reason. The applicant should furnish details as to the class, number, and expiration date of the Commercial radiotelegraph operator license involved.

(2) The volunteer examiner shall be responsible for the proper conduct and necessary supervision of the examination. Administration of the examination shall be in accordance with the instructions included with the examination papers and as prescribed in §§ 97.29 (c) and (d), 97.31, and 97.33.

(3) The examination papers, either completed or unopened in the event the examination is not taken, shall be returned by the volunteer examiner to the Commission's office at Gettysburg, Pennsylvania within the time prescribed (normally not later than 20 days after the date when the papers are forwarded by the Commission).

(c) The code test required of an applicant for amateur radio operator license, in accordance with the provisions of §§ 97.21 and 97.23 shall determine the applicant's ability to transmit by hand key (straight key or, if supplied by the applicant, any other type of hand operated key such as a semi-automatic or electronic key) and to receive by ear, in plain language, messages in the International Morse Code at not less than the prescribed speed, free from omission or other error for a continuous period of at least 1 minute during a test period of 5 minutes counting five characters to the word, each numeral or punctuation mark counting as two characters.

(d) All written portions of the examinations for amateur operator privileges shall be completed by the applicant in legible handwriting or hand printing, and diagrams shall be drawn by hand, by means of either pen and ink or pencil. Whenever the applicant's signature is required, his normal signature shall be used. Applicants unable to comply with these requirements, because of physical disability, may dictate their answers to the examination questions and the receiving code test and if unable to draw required diagrams, may dictate a detailed description essentially equivalent. If the examination or any part thereof is dictated, the examiner shall certify the nature of the applicant's disability and the name and address of the person(s) taking and transcribing the applicant's dictation.

§ 97.31 Grading of examinations.

(a) Code tests for sending and receiving are graded separately. Failure to pass the required code test for either sending or receiving will terminate the examination.

(b) Seventy-four percent is the passing grade for written examinations. For the purpose of grading, all elements, other than element 4 (B), required in qualifying for a particular license will be considered a single examination, and element 4 (B) will be considered as a separate examination. All written examinations will be graded only by Commission personnel.

§ 97.33 Eligibility for reexamination.

An applicant who fails examination for an amateur operator license may not take another examination for the same or a higher class amateur operator license within 30 days, except that this limitation shall not apply to an examination for a General Class license following an examination conducted by a volunteer examiner for a Novice, Technician, or Conditional Class license.

§ 97.35 Additional examination for holders of Novice, Technician, or Conditional Class operator licenses.

(a) The Commission may require a licensee holding a Novice, Technician, or Conditional Class of operator license to appear for a Commission-supervised license examination at a location designated by the Commission. If the licensee fails to appear for this examination when directed to do so, or fails to pass such examination, the Novice, Technician, or Conditional Class operator license previously issued shall be subject to cancellation, and upon cancellation, a new license will not be issued for the same class operator license as that cancelled.

(4) A specific call sign may be temporarily assigned to a station connected with an event, or events, of general public interest;

(5) An unassigned "two-letter call sign" (a call sign having two letters following the numeral) may be assigned to a previous holder of a two-letter call sign the prefix of which consisted of not more than a single letter.

(b) An amateur call sign will consist of a sequence of one or two letters, a numeral designating the call sign area, and two or three letters. The call sign areas are as follows:

No.

1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.
2. New York, New Jersey.
3. Pennsylvania, Delaware, Maryland, District of Columbia.
4. Virginia, North and South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Puerto Rico and Virgin Islands.
5. Mississippi, Louisiana, Arkansas, Oklahoma, Texas, New Mexico.
6. California, Hawaii and Pacific possessions except those included in area 7.
7. Oregon, Washington, Idaho, Montana, Wyoming, Arizona, Nevada, Utah, Alaska and adjacent islands.
8. Michigan, Ohio, West Virginia.
9. Wisconsin, Illinois, Indiana.
10. Colorado, Nebraska, North and South Dakota, Kansas, Minnesota, Iowa, Missouri.

Duplicate Licenses and License Term

§ 97.57 Duplicate license.

Any licensee requesting a duplicate license to replace an original which has been lost, mutilated, or destroyed, shall submit a statement setting forth the facts regarding the manner in which the original license was lost, mutilated, or destroyed. If, subsequent to receipt by the licensee of the duplicate license, the original license is found, either the duplicate or the original license shall be returned immediately to the Commission.

§ 97.59 License term.

(a) Amateur operator licenses are normally valid for a period of 5 years from the date of issuance of a new or renewed license, except the Novice Class which is normally valid for a period of 1 year from the date of issuance.

(b) The license for an amateur station is normally valid for a period of 5 years from the date of issuance of a new or renewed license except that an amateur station license issued to the holder of a Novice Class amateur operator license is normally valid for a period of 1 year from the date of issuance.

(c) A duplicate license or a modified license which is not being renewed shall bear the same expiration date as the license for which it is a modification or duplicate.

SUBPART C—TECHNICAL STANDARDS

§ 97.61 Authorized frequencies and types of emissions.

(a) Subject to the limitations and restrictions set forth in paragraph (b) of this section and in § 97.65, the following frequency bands and types of emissions are allocated and available for amateur station operation:

Band	Emission(s)	Limitations
kc/s		
1800 to 2000	A1, A3	1, 2, 3, 4
3500 to 4000	A1, A3, F1, F3	5
7000 to 7300	A1, A3, F1, F3	6
14000 to 14350	A1, A3, F1, F3	7
Mc/s		
21.0 to 21.45	A1, A3, F1, F3	8
28.0 to 29.7	A1, A3, F1, F3	9
50.0 to 54.0	AØ, A1, A2, A3, A4, FØ, F1, F2, F3	10
144 to 148	AØ, A1, A2, A3, A4, FØ, F1, F2, F3	11
220 to 225	AØ, A1, A2, A3, A4, FØ, F1, F2, F3, F4	12, 13
420 to 450	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	12, 14
1215 to 1300	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	12
2300 to 2450	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	12, 15
3300 to 3500	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	12
5650 to 5925	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	12, 15
10000 to 10500	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	12
21000 to 22000	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	----------
Above 40000	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	----------

(b) Explanation of the limitations appearing in the frequency tabulation of paragraph (a) of this section:

(1) Use of this band is on a shared basis with the Loran–A system of radio-navigation. The amateur service may use, in any area, whichever bands, 1800–1825, 1875–1900 or 1900–1925, 1975–2000 kc/s, are not required for Loran–A in that area. The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran–A) service;

(2) The use of these frequencies by stations in the amateur service shall not cause harmful interference to the Loran–A system of radionavigation. If an amateur station causes such interference, the station licensee shall, as directed by the Commission, immediately cease operation on the frequencies involved.

(3) Amateur operation shall be limited to:

Area	Maximum DC plate input power in watts							
	1800–1825 kc/s		1875–1900 kc/s		1900–1925 kc/s		1975–2000 kc/s	
	Day	Night	Day	Night	Day	Night	Day	Night
Alabama	200	50	No operation		No operation		100	25
Alaska	200	50	200	50	No operation		No operation	
Arizona	100	25	100	25	100	25	500	100
Arkansas	200	50	No operation		No operation		200	50
California	No operation		No operation		200	50	500	200
Colorado	200	50	100	25	100	25	500	100
Connecticut	200	50	100	25	No operation		No operation	
Delaware	200	50	100	25	No operation		No operation	
District of Columbia	200	50	100	25	No operation		No operation	
Florida	100	25	No operation		No operation		No operation	
Georgia	100	25	No operation		No operation		No operation	
Hawaii	No operation		No operation		100	25	100	25
Idaho	100	25	200	50	200	50	500	100
Illinois	200	50	100	25	100	25	200	50
Indiana	200	50	100	25	100	25	100	25
Iowa	500	100	100	25	100	25	200	50
Kansas	500	100	100	25	100	25	200	50
Kentucky	200	50	100	25	100	25	100	25
Louisiana	200	50	No operation		No operation		100	25
Maine	500	100	100	25	No operation		No operation	
Maryland	200	50	100	25	No operation		No operation	
Massachusetts	500	100	100	25	No operation		No operation	
Michigan:								
(Upper Peninsula)	500	100	100	25	100	25	200	50
(Lower Peninsula)	500	100	100	25	100	25	100	25
Minnesota	500	100	100	25	100	25	200	50
Mississippi	200	50	No operation		No operation		100	25
Missouri	200	50	100	25	100	25	200	50
Montana:								
(West of 111° W.)	100	25	200	50	200	50	500	100
(East of 111° W.)	200	50	200	50	200	50	500	100
Nebraska	500	100	100	25	100	25	500	100
Nevada	100	25	200	50	200	50	500	200
New Hampshire	500	100	100	25	No operation		No operation	
New Jersey	200	50	100	25	No operation		No operation	
New Mexico	200	50	100	25	100	25	500	100
New York:								
(North of 42° N.)	500	100	100	25	No operation		No operation	
(South of 42° N.)	200	50	100	25	No operation		No operation	
North Carolina	200	50	No operation		No operation		No operation	
North Dakota	500	100	200	50	200	50	500	100
Ohio	200	50	100	25	100	25	100	25
Oklahoma	500	100	No operation		No operation		200	50
Oregon	No operation		No operation		200	50	500	100
Pennsylvania	200	50	100	25	No operation		No operation	
Rhode Island	200	50	100	25	No operation		No operation	
South Carolina	100	25	No operation		No operation		No operation	
South Dakota	500	100	100	25	100	25	500	100
Tennessee	200	50	No operation		No operation		100	25
Texas:								
(East of 103° W.)	500	100	No operation		No operation		200	50
(West of 103° W.)	200	50	100	25	100	25	500	100
Utah	100	25	100	25	100	25	500	100
Vermont	500	100	100	25	No operation		No operation	
Virginia	200	50	100	25	No operation		No operation	
Washington	No operation		No operation		200	50	500	100
West Virginia	200	50	100	25	No operation		No operation	
Wisconsin	500	100	100	25	100	25	200	50
Wyoming	200	50	100	25	100	25	500	100
Puerto Rico	No operation		No operation		100	25	100	25
Virgin Islands	No operation		No operation		100	25	100	25
Swan Island	500	100	No operation		No operation		100	25
Serrana Bank	500	100	No operation		No operation		100	25
Roncador Key	500	100	No operation		No operation		100	25
Navassa Island	No operation		No operation		No operation		100	25
Baker, Canton, Enderbury, Guam, Howland, Jarvis, Johnston, Midway and Palmyra Islands	No operation		No operation		500	100	500	100
American Samoa	500	200	500	200	500	200	500	200
Wake Island	500	100	500	100	No operation		No operation	

(4) Subparagraphs (1), (2), and (3) of this paragraph shall be considered as temporary in the sense that they shall remain subject to cancellation or to revision, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran–A system of radionavigation.

(5) 3500 to 4000 kc/s, type A1 emission; 3500 to 3800 kc/s, type F1 emission; 3800 to 4000 kc/s, type A3 emission and narrow band frequency or phase modulation for radiotelephony; except that frequencies 3900 to 4000 kc/s are not available to stations located within the following United States possessions in Region 3, as defined in the Geneva 1959 Radio Regulations:

of any stations failing to comply, after notice, with any of the pertinent provisions of this section.

(c) The special conditions imposed under the provisions of this section shall cease to apply only after the Commission, or its authorized representative, shall have declared such general state of communications emergency to be terminated: however, nothing in this paragraph shall be deemed to prevent the Commission from modifying the terms of its declaration from time to time as may be necessary during the period of a communications emergency, or from removing those conditions with respect to any amateur frequency band or segment of such band which no longer appears essential to the conduct of the emergency communications.

SUBPART E—PROHIBITED PRACTICES AND ADMINISTRATIVE SANCTIONS

PROHIBITED TRANSMISSIONS AND PRACTICES

§ 97.111 No remuneration for use of station.

An amateur station shall not be used to transmit or receive messages for hire, nor for communication for material compensation, direct or indirect, paid or promised.

§ 97.113 Broadcasting prohibited.

Subject to the provisions of § 97.91, an amateur station shall not be used to engage in any form of broadcasting, that is, the dissemination of radio communications intended to be received by the public directly or by the intermediary of relay stations, nor for the retransmission by automatic means of programs or signals emanating from any class of station other than amateur. The foregoing provisions shall not be construed to prohibit amateur operators from giving their consent to the rebroadcast by broadcast stations of the transmissions of their amateur stations, provided, that the transmissions of the amateur stations shall not contain any direct or indirect reference to the rebroadcast.

§ 97.115 Music prohibited.

The transmission of music by an amateur station is forbidden.

§ 97.117 Codes and ciphers prohibited.

The transmission by radio of messages in codes or ciphers in domestic and international communications to or between amateur stations is prohibited. All communications regardless of type of emission employed shall be in plain language except that generally recognized abbreviations established by regulation or custom and usage are permissible as are any other abbreviations or signals where the intent is not to obscure the meaning but only to facilitate communications.

§ 97.119 Obscenity, indecency, profanity.

No licensed radio operator or other person shall transmit communications containing obscene, indecent, or profane words, language, or meaning.

§ 97.121 False signals.

No licensed radio operator shall transmit false or deceptive signals or communications by radio, or any call letter or signal which has not been assigned by proper authority to the radio station he is operating.

§ 97.123 Unidentified communications.

No licensed radio operator shall transmit unidentified radio communications or signals.

§ 97.125 Interference.

No licensed radio operator shall willfully or maliciously interfere with or cause interference to any radio communication or signal.

§ 97.127 Damage to apparatus.

No licensed radio operator shall willfully damage, or cause or permit to be damaged, any radio apparatus or installation in any licensed radio station.

§ 97.129 Fraudulent licenses.

No licensed radio operator or other person shall obtain or attempt to obtain, or assist another to obtain or attempt to obtain, an operator license by fraudulent means.

ADMINISTRATIVE SANCTIONS

§ 97.131 Restricted operation.

(a) If the operation of an amateur station causes general interference to the reception of transmissions from stations operating in the domestic broadcast service when receivers of good engineering design including adequate selectivity characteristics are used to receive such transmissions and this fact is made known to the amateur station licensee, the amateur station shall not be operated during the hours from 8 p.m. to 10:30 p.m., local time, and on Sunday for the additional period from 10:30 a.m. until 1 p.m., local time, upon the frequency or frequencies used when the interference is created.

(b) In general, such steps as may be necessary to minimize interference to stations operating in other services may be required after investigation by the Commission.

§ 97.133 Second notice of same violation.

In every case where an amateur station licensee is cited within a period of 12 consecutive months for the second violation of the provisions of §§ 97.61, 97.63, 97.65, 97.71, or 97.73, the station licensee, if directed to do so by the Commission, shall not operate the station and shall not permit it to be operated from 6 p.m. to 10:30 p.m., local time, until written notice has been received authorizing the resumption of full-time operation. This notice will not be issued until the licensee has reported on the results of tests which he has conducted with at least two other amateur stations at hours other than 6 p.m. to 10:30 p.m., local time. Such tests are to be made for the specific purpose of aiding the licensee in determining whether the emissions of the station are in accordance with the Commission's rules. The licensee shall report to the

Commission the observations made by the cooperating amateur licensees in relation to the reported violations. This report shall include a statement as to the corrective measures taken to insure compliance with the rules.

§ 97.135 Third notice of same violation.

In every case where an amateur station licensee is cited within a period of 12 consecutive months for the third violation of §§ 97.61, 97.63, 97.65, 97.71, or 97.73, the station licensee if directed by the Commission, shall not operate the station and shall not permit it to be operated from 8 a.m. to 12 midnight, local time, except for the purposes of transmitting a prearranged test to be observed by a monitoring station of the Commission to be designated in each particular case. The station shall not be permitted to resume operation during these hours until the licensee is authorized by the Commission, following the test, to resume full-time operation. The results of the test and the licensee's record shall be considered in determining the advisability of suspending the operator license or revoking the station license, or both.

§ 97.137 Answers to notices of violations.

Any licensee receiving official notice of a violation of the terms of the Communications Act of 1934, as amended, any legislative act, Executive order, treaty to which the United States is a party, or the rules and regulations of the Federal Communications Commission, shall, within 10 days from such receipt, send a written answer direct to the office of the Commission originating the official notice: *Provided, however*, That if an answer cannot be sent or an acknowledgment made within such 10-day period by reason of illness or other unavoidable circumstances, acknowledgment and answer shall be made at the earliest practicable date with a satisfactory explanation of the delay. The answer to each notice shall be complete in itself and shall not be abbreviated by reference to other communications or answers to other notices. If the notice relates to some violation that may be due to the physical or electrical characteristics of transmitting apparatus, the answer shall state fully what steps, if any, are taken to prevent future violations, and if any new apparatus is to be installed, the date such apparatus was ordered, the name of the manufacturer, and promised date of delivery. If the notice of violation relates to some lack of attention or improper operation of the transmitter, the name of the operator in charge shall be given.

§ 97.139 Revocation of station license and issuance of cease and desist orders.

(a) Whenever it appears that a station license should be revoked for any of the reasons set forth in section 312(a) of the Communications Act of 1934, as amended, or a cease and desist order should be issued for any of the reasons specified in section 312(b) of the act, the Commission will issue an order directing the licensee to show cause why an order of revocation or a cease and desist order, as the case may be, should not be issued.

(b) Any order to show cause issued in accordance with paragraph (a) of this section will contain a statement of matters with respect to which the Commission is inquiring and will call upon the licensee to appear before the Commission at a time and place stated in the order, but in no event less than thirty (30) days after the receipt of such order, and give evidence upon the matter specified therein; except that where safety of life or property is involved, the Commission may provide in the order for a shorter period.

(c) In order to avail himself of the opportunity to appear before the Commission at the time and place stated in the show cause order to give evidence upon the matter specified therein, the licensee, in person or by his attorney, shall, within 30 days of the receipt of the order, or such shorter period as may be specified therein if the safety of life and property is involved, file with the Commission in triplicate a written appearance stating that he will appear and present evidence on the matter specified in the order.

(d) The hearing on the matter specified in the order to show cause, and the practice and procedure in connection therewith, shall accord with the provisions of Subparts A and B of Part 1 of this chapter, except that in all such hearings the burden of proof shall be upon the Commission.

(e) If the licensee does not desire to appear before the Commission and give evidence upon the matter specified in the show cause order, he shall, within 30 days of the receipt of the order, or such shorter period as may be specified therein if the safety of life or property is involved, file with the Commission, in triplicate, a written waiver of hearing. Such waiver, which shall include the name of the licensee to whom the show cause order was addressed, the call letters of his station, if any, and the docket number of the proceeding, may be accompanied by a statement of reasons why the licensee believes that the order of revocation or a cease and desist order, as the case may be, should not be issued.

(f) If the licensee fails to timely respond to an order to show cause or fails to appear at a hearing, such failure will be deemed a waiver of hearing.

(g) If the licensee waives a hearing in accordance with the provisions of paragraph (e) of this section and fails to submit a statement therewith showing why he believes an order of revocation or a cease and desist order should not be issued, or if he is deemed to waive a hearing in accordance with the provisions of paragraph (f) of this section, the allegations specified in the order to show cause will be deemed to be admitted and a decision will be issued by the Commission invoking the sanction specified in the order to show cause. If a hearing is waived pursuant to paragraph (e) of this section but a written statement as to why an order of revocation or cease and desist order should not be issued is submitted, the Commission will, on the basis of the facts before

it as supplemented by such written statement, issue a decision stating its reasons for invoking the sanction specified in the order to show cause or for dismissing the proceeding, as the case may be: *Provided,* That where the written statement contains factual allegations contrary to those upon which the show cause order was based, the Commission may call upon the submitting party to furnish additional information under oath, or, if necessary, designate the proceeding for oral hearing. The decisions of the Commission referred to in this paragraph shall have the same effect as an initial decision, and the procedure to be followed thereafter shall be the same as in the case of an initial decision issued in the course of the regular hearing procedure (see §§ 1.204, 1.276, 1.277, 1.279, and 1.282 of this chapter).

(h) Any order of revocation or cease and desist order issued pursuant to this section shall include a statement of the findings and the grounds and reasons therefor and specify the effective date of the order, and shall be served on said licensee.

§ 97.141 Order of suspension.

No order of suspension of any operator's license shall take effect until 15 days' notice in writing thereof, stating the cause for the proposed suspension, has been given to the operator licensee who may make written application to the Commission at any time within said 15 days for a hearing upon such order. The notice to the operator licensee shall not be effective until actually received by him, and from that time he shall have 15 days in which to mail the said application. In the event that physical conditions prevent mailing of the application at the expiration of the 15-day period, the application shall then be mailed as soon as possible thereafter, accompanied by a satisfactory explanation of the delay. Upon receipt by the Commission of such application for hearing, said order of suspension shall be held in abeyance until the conclusion of the hearing which shall be conducted under such rules as the Commission shall deem appropriate. Upon the conclusion of said hearing the Commission may affirm, modify, or revoke said order of suspension.

§ 97.143 Proceedings.

Proceedings for the suspension of an operator's license shall in all cases be initiated by the entry of an order of suspension. Respondent will be given notice thereof together with notice of his right to be heard and to contest the proceeding. The effective date of the suspension will not be specified in the original order but will be fixed by subsequent motion of the Commission in accordance with the conditions specified above. Notice of the effective date of suspension will be given respondent who shall send his operator license to the office of the Commission in Washington, D.C., on or before the said effective date, or, if the effective date has passed at the time notice is received, the license shall be sent to the Commission forthwith.

SUBPART F—RADIO AMATEUR CIVIL EMERGENCY SERVICE (RACES)

GENERAL

§ 97.161 Nature of this service.

(a) The Radio Amateur Civil Emergency Service provides for amateur radio operation for civil defense communications purposes only, during periods of local, regional or national civil emergencies, including any emergency which may necessitate invoking of the President's War Emergency Powers under the provisions of Section 606 of the Communications Act of 1934, as amended.

(b) Pursuant to the provisions of section 4(j) of the Communications Act of 1934, as amended, records relating to the Radio Amateur Civil Emergency Service shall not be open to general public inspection.

§ 97.163 Definitions.

For the purposes of this subpart, the following definitions are applicable:

(a) *Radio Amateur Civil Emergency Service.* A radiocommunication service carried on by licensed amateur radio stations while operating on specifically designated segments of the regularly allocated amateur frequency bands under the direction of authorized local, regional or federal civil defense officials pursuant to an approved civil defense communications plan.

(b) *Radio Amateur Civil Emergency Station.* An amateur radio station which is authorized to operate in the Radio Amateur Civil Emergency Service for the purpose of transmitting and receiving civil defense communications.

(c) *Civil defense communications.* Communications or signals essential to the conduct of civil defense activities of duly authorized civil defense organizations, including communications directly concerning safety of life, preservation of property, maintenance of law and order, alleviation of human suffering and need and dissemination of warnings of enemy attack to the civilian population in case of actual or impending armed attack or in any disaster or other incident endangering the public welfare. Such communications may also include transmissions necessary to establishment and maintenance of the radio system and communications essential to the training of civil defense personnel.

(d) *Civil defense authority.* The legally appointed Director of Civil Defense, or his authorized alternate or representative, for the particular geographical area (city, county, etc.) which a proposed radio station is intended to serve, and who is responsible to local governmental authority for protection and aid to the civilian population in the event of armed attack or of any disaster or other incident endangering public safety.

(e) *Civil Defense Communications Officer.* The official of any duly constituted civil defense organization having direct responsibility under the Director of that organization for the provision, organization, maintenance, readiness, and utilization of all means of

communication to be used by such civil defense organization in the performance of its lawful functions.

(f) *Civil Defense Radio Officer.* The duly designated official of a legally constituted civil defense organization who is directly responsible either to the Communications Officer or to the Director of such civil defense organization for the provision, organization, maintenance, readiness, and utilization of radio communications facilities for civil defense use.

(g) *Radio Amateur Civil Emergency Network.* All radio amateur civil emergency stations intended to be included in the civil defense communications plan of the area concerned and which operate, or are to operate, in conjunction with a single control station. Such network may be made up of several separately authorized radio amateur civil emergency stations or units of such stations, or may be made up of several units of the same station operated at different locations. In addition, the same radio amateur civil emergency station or any unit of such station may be a part of more than one network; e.g., the control station of one network may also be the control station or a member station of another network operated in conjunction therewith.

(h) *Net control station.* Any authorized Radio Amateur Civil Emergency Station unit designated by the civil defense radio officer, with the approval of the Director of Civil Defense or the Civil Defense Communications Officer, to direct the use and operation of other station units of the same Radio Amateur Civil Emergency Network.

(i) *Civil defense communications plan.* The plan under which communications facilities are provided to all branches and phases of the civil defense organization in the area concerned and for all of its activities. Such plan may be drawn up in accordance with the needs of the particular area affected and the facilities, including licensed radio operators and stations, available in that particular area. Plans need not be uniform, but to be acceptable to the Commission they must comply with the following:

(1) The plan must be clearly described in writing, and it may include diagrams and sketches. It must include a general description of the facilities and personnel available to provide communications for civil defense purposes and the expected usage to be made thereof.

(2) The plan must have been approved by the state and federal civil defense authorities having jurisdiction of the area affected.

(3) The plan must include the name, address, official title, and a statement of the qualifications of the Civil Defense Radio Officer (and of any and all alternate Radio Officers) responsible for the organization, training, and utilization of the radio amateur civil emergency station networks under that plan, and the name, address, and official title of the civil defense official responsible for the coordination of all civil defense activities of the area concerned.

(4) The plan must include a general description of each radio amateur civil emergency station network under the jurisdiction of each respective Civil Defense Radio Officer, showing location of fixed installations, purpose, area of activity to be served, an estimate of the number of radio amateur stations and independent operating units of such stations intended to be used in the network, and a description, including the location and call sign, of its control station and any alternate control station or stations.

(5) The plan must include a general statement as to the frequency bands to be used by the radio amateur civil emergency station networks and the approximate number of stations, or units of such stations, to be operated in each such band, together with a description of the method which has been adopted for liaison and coordination of frequency usage with other similar networks in the same and adjacent areas.

(6) The plan must include a statement setting forth the facilities available to the area and the procedures to be followed in determining the loyalty and general reliability of all civil defense Radio Officers, amateur radio station licensees and radio operators intended to be utilized in the implementation of that plan. (See §§ 97.173(b), 97.175(c), and 97.203(a).)

§ 97.165 Applicability of rules governing amateur radio stations and operators.

In all cases not specifically covered by the regulations contained in this subpart, licensed amateur stations authorized to be operated in the Radio Amateur Civil Emergency Service shall be governed by the provisions of the rules governing amateur radio stations and operators (Subparts A through E of this part) which are not in conflict herewith. In any case of conflict, the rules governing the Radio Amateur Civil Emergency Service shall govern in respect to any station operated in that service.

ORGANIZATION

§ 97.167 Organization of networks.

To supplement or extend other means of communication available to the civil defense organization or to provide necessary communications for which no other means exist, local radio amateur civil emergency station networks shall be organized by the civil defense authority of the area concerned and under the immediate direction of the Civil Defense Radio Officer. Such networks shall include all licensed amateur radio stations which are intended to be included in the civil defense communications plan of the area concerned. In any particular area there may be several such networks and each network may be independent of the others. Whenever there is more than one network in the same area, all such networks must share, under a single civil defense communications plan, the available frequencies in an efficient and orderly manner. The various networks in adjacent areas shall establish proper liaison and a description of the arrangements

SEMIANNUAL

Albuquerque, N. Mex.	Lubbock, Tex.
Boise, Idaho.	Portland, Maine.
El Paso, Tex.	Salem, Va.
Fairbanks, Alaska.	Spokane, Wash.
Hartford, Conn.	Tucson, Ariz.
Jackson, Miss.	Wichita, Kans.
Jacksonville, Fla.	Wilmington, N.C.
Las Vegas, Nev.	

ANNUAL

Bakersfield, Calif.	Klamath Falls, Oreg.
Bangor, Maine.	Lihue, Hawaii.
Billings, Mont.	Marquette, Mich.
Great Falls, Mont.	Rapid City, S. Dak.
Hilo, Hawaii.	Wailuku, Hawaii.
Jamestown, N. Dak.	

Arrangements have also been made, including cooperation of other Federal agencies, for General Class examinations in outlying areas as follows:

Alaska: Alaska Communications System stations.

Guam: District Communications Officer, United States naval station.

Hawaii: At not exceeding one point on any island, by the Engineer in Charge (Honolulu).

APPENDIX 2

Extracts From Radio Regulations Annexed to the International Telecommunication Convention (Geneva, 1959)

ARTICLE 41—AMATEUR STATIONS

SECTION 1. Radiocommunications between amateur stations of different countries shall be forbidden if the administration of one of the countries concerned has notified that it objects to such radiocommunications.

SEC. 2. (1) When transmissions between amateur stations of different countries are permitted, they shall be made in plain language and shall be limited to messages of a technical nature relating to tests and to remarks of a personal character for which, by reason of their unimportance, recourse to the public telecommunications service is not justified. It is absolutely forbidden for amateur stations to be used for transmitting international communications on behalf of third parties.

(2) The preceding provisions may be modified by special arrangements between the administrations of the countries concerned.

SEC. 3. (1) Any person operating the apparatus of an amateur station shall have proved that he is able to send correctly by hand and to receive correctly by ear, texts in Morse code signals. Administrations concerned may, however, waive this requirement in the case of stations making use exclusively of frequencies above 144 Mc/s.

(2) Administrations shall take such measures as they judge necessary to verify the technical qualifications of any person operating the apparatus of an amateur station.

SEC. 4. The maximum power of amateur stations shall be fixed by the administrations concerned, having regard to the technical qualifications of the operators and to the conditions under which these stations are to work.

SEC. 5. (1) All the general rules of the Convention and of these Regulations shall apply to amateur stations. In particular, the emitted frequency shall be as stable and as free from spurious emissions as the state of technical development for such stations permits.

(2) During the course of their transmissions, amateur stations shall transmit their call sign at short intervals.

APPENDIX 3

CLASSIFICATION OF EMISSIONS

For convenient reference the tabulation below is extracted from the classification of typical emissions in Part 2 of the Commission's Rules and Regulations and in the Radio Regulations, Geneva, 1959, and it includes only those general classifications which appear most applicable to the Amateur Radio Service.

Type of modulation	Type of transmission	Symbol
Amplitude	With no modulation	AØ
	Telegraph without the use of modulating audio frequency (by on-off keying).	A1
	Telegraphy by the on-off keying of an amplitude modulating audio frequency or audio frequencies or by the on-off keying of the modulated emission (special case: an unkeyed emission amplitude modulated).	A2
	Telephony	A3 [1]
	Facsimile	A4
	Television	A5
Frequency (or phase).	Telegraphy by frequency shift keying without the use of a modulating audio frequency.	F1
	Telegraphy by the on-off keying of a frequency modulating audio frequency or by the on-off keying of frequency modulated emission (special case: an unkeyed emission frequency modulated).	F2
	Telephony	F3
	Facsimile	F4
	Television	F5
Pulse		P

[1] (In Part 97) unless specified otherwise, A3 includes single and double side band with full, reduced, or suppressed carrier.

APPENDIX 4

Convention Between the United States of America and Canada, Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country
(Effective May 15, 1952)

ARTICLE III

It is agreed that persons holding appropriate amateur licenses issued by either country may operate their amateur stations in the territory of the other country under the following conditions:

(a) Each visiting amateur may be required to register and receive a permit before operating any amateur station licensed by his government.

(b) The visiting amateur will identify his station by:

(1) *Radiotelegraph operation.* The amateur call sign issued to him by the licensing country followed by a slant (/) sign and the amateur call sign prefix and call area number of the country he is visiting.

(2) *Radiotelephone operation.* The amateur call sign in English issued to him by the licensing country followed by the words, "fixed," "portable" or "mobile," as appropriate, and the amateur call sign prefix and call area number of the country he is visiting.

(c) Each amateur station shall indicate at least once during each contact with another station its geographical location as nearly as possible by city and state or city and province.

(d) In other respects the amateur station shall be operated in accordance with the laws and regulations of the country in which the station is temporarily located.

fixed station) a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be and the call signs of all radio stations authorized to the licensee under this part. The notice shall be sent to (1) Secretary, Federal Communications Commission, Washington, D.C., 20554, and (2) the Engineer in Charge of the Radio District in which the station is located, and a copy shall be maintained with the license of each station until a new license is issued.

§ 99.13 Limitation on antenna structures.

(a) No new antenna structure shall be erected for use by any station licensed or proposed to be licensed in the Disaster Communications Service, and no changes shall be made in any existing antenna structure for use or intended to be used by any station licensed or proposed to be licensed in the Disaster Communications Service so as to increase its overall height above ground level, without prior approval by the Commission, in any case when either (1) the antenna structure proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on an existing man-made structure other than an antenna structure and does not increase the overall height of such man-made structure by more than 20 feet, or (2) the antenna structure proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except where the height of the antenna does not exceed 20 feet above the ground or if the antenna is mounted on an existing man-made structure other than an antenna structure or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet as a result of such mounting.

(b) Further details as to whether an aeronautical study and/or obstruction marking may be required, and specifications for obstruction marking when required, may be obtained from Part 17 of this chapter, "Construction, Marking, and Lighting of Antenna Structures." Information regarding requirements as to inspection of obstruction marking, recording of information regarding such inspection, and maintenance of antenna structures is also contained in Part 17 of this chapter.

§ 99.15 License term.

A license to operate a radio station in the Disaster Communications Service will be issued for a term of from 1 to 5 years from the effective date of grant as the Commission may determine in each case to permit the orderly scheduling of renewals, and for a renewal term of 4 years from the effective date of renewal.

SUBPART C—USE OF STATIONS

§ 99.17 Activation of stations.

(a) All stations in the Disaster Communications Service are authorized to be operated on the frequencies and with the types of emission specified by this part only when competent local authority either (1) determines that an impending or actual disaster or other such incident warrants their activation, or (2) schedules training operations, practice drills or tests to keep the networks and associated stations alert and efficient.

(b) Except during scheduled training operations, practice drills or tests, the scene of disaster frequency shall be used only (1) by the station or stations actually located in the disaster area and those stations with which the station or stations actually in such disaster area are in direct communication, or (2) as a notification frequency, for the transmission of any authorized emission including automatic alarm signals, when a disaster is imminent or has occurred, or (3) in an impending disaster situation, as a calling frequency for preliminary contacts in establishing or alerting nets, or (4) as a calling frequency for non-net stations seeking contact with the control station of a net for disaster-related communications.

(c) Nothing in this section shall be deemed to prevent any radio station from operating on the scene of disaster frequency, using such equipment and such power as may be available or necessary, and communicating in accordance with the provisions of paragraph (b) of this section at any time the safety of life or property within the area of responsibility of that station is in danger as a result of an impending or actual disaster or other such incident.

§ 99.19 Points of communications.

All stations in the Disaster Communications Service, when activated in accordance with the provisions of § 99.17 are authorized to communicate with each other, with stations in the Amateur Radio Service, and with stations of the United States Government which are authorized by their controlling federal government agencies to communicate with stations in the Disaster Communications Service; and are further authorized to communicate with any station in any service licensed by the Federal Communications Commission whenever such station is authorized to communicate with stations in the Disaster Communications Service by the provisions of the Commission's rules governing the class of station concerned or in accordance with the provisions of § 2.405 of this chapter.

§ 99.21 Limitations on use.

(a) Stations operating in the Disaster Communications Service are authorized to transmit and to receive only those types of communications set forth in § 99.23 for:

(1) Liaison purposes for the coordination of the activities of various local or larger mutual aid or-

ganizations, between established individual or network stations authorized to operate in other services and engaged in disaster communications on their own regularly assigned service frequencies; or

(2) Direct operation as a part of a disaster communications network established for the purpose of providing disaster communications for an organization or organizations having no other frequencies available or none satisfactory for the distances or locations to be covered.

(b) Stations operating in the Disaster Communications Service are authorized to retransmit, by automatic means, authorized disaster communications being transmitted by other stations of the same disaster communications network, and to originate and transmit, by automatic means, distinctive signals, on the scene of disaster frequency only, for the alerting of the disaster communications network and/or for the actuation of selective signaling, calling or alerting devices: *Provided,* That when such automatic transmission or retransmission is employed, such stations shall not emit radio-frequency energy except when actually transmitting authorized disaster communications.

(c) Nothing in this section shall be construed to prevent the operation of a station in the Disaster Communications Service for the purpose of brief tests or adjustments during or coincident with the installation, servicing or maintenance of such station: *Provided,* That the transmissions of that station during such tests or adjustments shall not cause harmful interference to the conduct of communications by any other station.

(d) A station in the Disaster Communications Service shall not be used to transmit or to receive messages for hire, nor for communications for material compensation, direct or indirect, paid or promised.

§ 99.23 Permissible communications.

Stations in the Disaster Communications Service are authorized to transmit and to receive only the following types of disaster communications:

(a) Communications when there is no impending or actual disaster:

(1) Necessary drills and tests to insure the establishment and maintenance of efficient networks of stations in the Disaster Communications Service and other authorized services. These drills and tests may include the prearranged exchange of communications by stations of established networks with stations outside any established network where the purpose of such exchange is to provide training and practice in the establishment and maintenance of liaison and coordination between such networks and non-network stations. Such drills and tests shall not be permitted, in any way, to interfere with communications in connection with any actual or impending disaster or other such incident.

(b) Communications when there is an impending or actual disaster:

(1) Communications directly concerning:

(i) The activation of a disaster network, or

(ii) The establishment and maintenance of liaison and coordination between:

(*a*) The stations of one network and the stations of any other network, or

(*b*) Any network station and any non-network station of any agency possessed of its own system of radiocommunication which is actually engaged in averting or overcoming the effects of the disaster, or

(*c*) Any non-network station of one agency possessed of its own system of radiocommunication which is actually engaged in averting or overcoming the effects of the disaster and any non-network station of any other agency possessed of its own system of radiocommunication which is actually engaged in averting or overcoming the effects of the disaster.

(2) Communications directly concerning the conduct of service by an activated disaster network.

(3) Communications directly concerning safety of life, preservation of property, maintenance of law and order, and alleviation of human suffering and need by authorized government and relief agencies.

(4) Communications directly concerning the accumulation and dissemination of public information regarding safety of life, preservation of property, maintenance of law and order, or alleviation of human suffering and need by authorized government or relief agencies.

(5) Communications directly concerning the transaction of business essential to the public welfare.

(6) Communications concerning personal matters of individuals directly affected by the disaster.

(c) The order of priority of communications when there is an impending or actual disaster shall be as determined by the competent local authority activating the station or network, or his authorized representative.

§ 99.25 Station identification.

(a) *Call signs.* Disaster stations licensed by the Commission will be assigned distinctive call signs consisting of four letters and one digit. Stations of the United States Government authorized to operate in the Disaster Communications Service will be assigned appropriate call signs by the appropriate United States Government agencies from the call signs available to such agencies.

(b) *Use of call signs.* (1) *Radiotelegraph.* When transmitting by radiotelegraphy, each disaster station shall transmit the call sign of the station being called followed by its own call sign at the beginning of each series of communications with the called station, at least once each 15 minutes of such operation, and when terminating communications with the called station. One-way transmissions intended for several stations shall be identified in the same manner except that a general call may be used in place of the call signs of the several stations intended to receive the transmissions. Test transmissions of a station making

adjustments shall be identified by the transmission of the station call sign at the beginning and end of the test period and at least each 30 seconds during such period.

(2) *Radiotelephone.* When transmitting by radiotelephony, each disaster station shall identify itself and the station or stations being called in the same manner prescribed in this section for identification during radiotelegraph transmissions, except that, if there is no possibility of confusion, the name, location, or other designation of the station may be used in lieu of the call sign when that name, location, or other designation is the same as that of an associated station in some other service and is authorized to be used by such associated station when identifying itself on its regularly assigned frequencies.

(3) *Multiple units.* When two or more separate units of a station are operated at different locations, each unit shall separately identify itself by the addition of a unit name, number or other designation at the end of its call sign or other authorized means of identification. When transmitting by radiotelegraphy, such additional identification shall be separated from the call sign by use of the "slant" or fraction bar.

(4) *Additional identifications.* A list of all general or collective call signs, unit designators, and other authorized substitutes for or additions to assigned call signs used in each disaster station network shall be maintained at the control station of such network, and shall be made available for inspection upon reasonable request from any authorized representative of the federal government.

(c) *Automatic operation.* Stations which are entirely automatic in their operation, including automatic modulation of the carrier, shall be exempt from the requirements of paragraph (b) of this section.

§ 99.27 Radio station log.

(a) The licensee of each radio station licensed in the Disaster Communications Service shall keep an accurate log of all operations in the 1750–1800 kc/s band, which shall include the following:

(1) Name and address of the disaster station licensee, station call sign used in the Disaster Communications Service, date of expiration of the disaster station license, and d.c. plate power input to the vacuum tube or tubes supplying energy to the transmitting antenna system. This information need be entered only once in the log unless there is a change in any of the items in this subparagraph. Each change shall be entered with the date the change is made.

(2) Date and time of beginning and end of each period during which the disaster station is operated.

(3) Signature of each licensed operator who manipulates the key of a manually operated radiotelegraph transmitter or the signature of each licensed operator who operates a transmitter using any other type of emission and the name (or signature) of any person not holding an operator license who transmits by voice over the facilities of that station other than by automatic relay of the signal of another station or stations. The signature of the operator shall be entered with the date and time at both the beginning and the end of each period during which he is manning the controls of the disaster station and at least once on each page additional to the first page covering the period for which he is the responsible operator. The signature of any additional operator who operates the station during the regular watch of another operator shall be entered in the proper space for that additional operator's transmissions.

(4) Upon the completion of each period of operation for drill, training, liaison or test purposes and each period of operation in connection with an impending or actual disaster, there shall be entered in the log a summary of such operation describing its nature and giving pertinent details.

(5) There shall be no erasures, obliterations or destruction of any part of the disaster station log. Corrections shall be made by striking out erroneous portions and initialing and dating the correction.

(b) The current portion of the log of a licensed disaster station shall be kept at the location of the control position of such station. Other portions of the log shall be retained by the licensee for a period of at least one year, at such place as he may deem appropriate and advisable: *Provided,* That the log of a disaster station shall be made available for inspection upon reasonable request by any authorized representative of the federal government: *And provided further,* That those portions of any disaster station log covering operation of such station in connection with any actual disaster shall not be destroyed unless prior approval for such destruction shall have been received from the Commission.

(c) Stations which are entirely automatic in their operation, including automatic modulation of the carrier, shall be exempt from the requirements of paragraph (a) (2), (3) and (4) of this section, with respect to all operation of such stations which is adequately recorded in the log of any other station of the same disaster network.

SUBPART D—OPERATING REQUIREMENTS

§ 99.29 Limitations on use of frequencies.

(a) The assigned frequencies in the band 1750–1800 kc/s are available to stations in this Service upon a shared basis with the stations in the Industrial Radiolocation Service also assigned frequencies within that band: *Provided, however,* That, except when transmitting in connection with an actual or imminent disaster in any area, stations in the Disaster Communications Service shall not cause harmful interference to stations in the Industrial Radiolocation Service between the times at New Orleans, Louisiana, and Los Angeles, California, respectively, of sunrise and sunset: *And provided further,* That stations in the Industrial Radiolocation Service shall not cause harmful

interference to stations in the Disaster Communications Service between the times at New Orleans, Louisiana, and Los Angeles, California, respectively, of sunset and sunrise, or at any time during an actual or imminent disaster in any area.

(1) The average times of sunrise and sunset at New Orleans, Louisiana, based on central standard time, are as follows:

	Jan.	Feb.	Mar.	Apr.	May	June
Sunrise	7:00	6:45	6:15	5:30	5:15	5:00
Sunset	5:15	5:45	6:15	6:30	6:45	7:00

	July	Aug.	Sept.	Oct.	Nov.	Dec.
Sunrise	5:15	5:30	5:45	6:00	6:30	6:45
Sunset	7:00	6:45	6:00	5:30	5:00	5:00

(2) The average times of sunrise and sunset at Los Angeles, California, based on Pacific standard time, are as follows:

	Jan.	Feb.	Mar.	Apr.	May	June
Sunrise	7:00	6:45	6:00	5:30	4:45	4:45
Sunset	5:00	5:30	6:00	6:30	6:45	7:00

	July	Aug.	Sept.	Oct.	Nov.	Dec.
Sunrise	4:45	5:15	5:30	6:00	6:30	6:45
Sunset	7:00	6:45	6:00	5:15	4:45	4:45

(b) During the periods specified in paragraph (a) of this section when stations in the Disaster Communications Service shall not cause harmful interference to stations in the Industrial Radiolocation Service, the operation of a disaster station for the purpose of drills or tests shall not be permitted if the licensee of such station has reason to believe or has been informed that such operation might reasonably be expected to cause harmful interference to stations in the Industrial Radiolocation Service, except by mutual agreement between the licensees in both services through the channels of liaison prescribed in § 99.31. Stations in the Industrial Radiolocation Service are authorized to use frequencies in the 1750–1800 kc/s band under the condition, among others, that such use shall be limited to locations within 150 miles of the shoreline of the Gulf of Mexico, or within 15 miles inland and 150 miles offshore of that portion of the shoreline of the State of California south of 35 degrees 30 minutes North latitude.

§ 99.31 Liaison with licensees in the Industrial Radiolocation Service.

To carry into effect the requirements of § 99.29, and of § 91.611 in Part 91, Industrial Radio Services, of this chapter, including a positive means whereby operation in the Industrial Radiolocation Service can be suspended to protect stations in this Service against harmful interference during operation in connection with an actual or imminent disaster or during other hours when stations in this Service have priority on the use of frequencies in the 1750–1800 kc/s band, there shall be established an adequate and reliable system of notification and liaison between licensees in this Service and licensees in the Industrial Radiolocation Service. The extent and division of responsibility for various phases of the notification and liaison system shall be as follows:

(a) Organization and establishment of a system of liaison within the Industrial Radiolocation Service; the devising of a system for the receipt and distribution of notification information; and the installation, operation and maintenance of such a system shall be the responsibility of licensees in the Industrial Radiolocation Service authorized to operate in the band 1750–1800 kc/s.

(b) Organization and establishment of a system of liaison within the Disaster Communications Service, and the devising of a method for the dispatch of notification information to the person or persons designated by licensees in the Industrial Radiolocation Service shall be the responsibility of licensees in the Disaster Communications Service authorized to operate in the band 1750–1800 kc/s.

(c) The responsibility for the initiation of liaison between licensees in the Industrial Radiolocation Service and the licensees in the Disaster Communications Service shall be the responsibility of the former.

(d) Once initiated, the maintenance, review and improvement of liaison between licensees in the two Services shall be the joint responsibility of both groups.

(e) Issuance of notification to suspend operation in the Industrial Radiolocation Service due to an impending or actual disaster shall be the responsibility of licensees in the Disaster Communications Service. Such notification shall be by those means which have been mutually agreed upon as sufficiently adequate, prompt and reliable to effectuate the purpose of this section. Any desired communication method or combination of methods may be utilized, and may be supplemented as necessary in case of failure of the agreed-upon method of notification.

(f) When stations in the Industrial Radiolocation Service have discontinued transmitting to protect disaster communications in connection with an imminent or actual disaster, and when the point has been reached where there is no reasonable possibility that radiolocation transmissions will cause harmful interference to the disaster communications, it shall be the responsibility of licensees in the Disaster Communications Service to communicate this information promptly to the licensees in the Industrial Radiolocation Service so that they may resume operation at will.

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prescribed application form, a failure to comply with such request will constitute a defect in the application.

(b) When an application is considered to be incomplete or defective, such application will be returned to the applicant, unless the Commission may otherwise direct. The reason for return of the applications will be indicated, and if appropriate, necessary additions or corrections will be suggested.

§ 95.31 Partial grant.

Where the Commission, without a hearing, grants an application in part, or with any privileges, terms, or conditions other than those requested, the action of the Commission shall be considered as a grant of such application unless the applicant shall, within 30 days from the date on which such grant is made, or from its effective date if a later date is specified, file with the Commission a written rejection of the grant as made. Upon receipt of such rejection, the Commission will vacate its original action upon the application and, if appropriate, set the application for hearing.

§ 95.33 License period.

Unless otherwise stated in the authorization, licenses for all stations in the Citizens Radio Service will normally be issued for a term of 5 years from the date of original issuance, renewal, or modification.

§ 95.35 Changes in authorized stations.

Authority for certain changes in authorized stations must be obtained from the Commission before the changes are made, while other changes do not require prior Commission approval. The following paragraphs of this section describe the conditions under which prior Commission approval is or is not necessary.

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modification of license be submitted to the Commission. Application for modification shall be submitted in the same manner as an application for a new station license, and the licensee shall forward his existing authorization to the Commission for cancellation immediately upon receipt of the superseding authorization. Any of the following changes to authorized stations may be made only upon approval by the Commission:

(1) Increase the overall number of transmitters authorized.

(2) Change the presently authorized location of a Class A fixed or base station or control point.

(3) Move, change the height of, or erect a Class A station antenna structure of the type which requires prior approval from the Commission as set forth in § 95.37.

(4) Make any change in the type of emission or any increase in bandwidth of emission or power of a Class A station.

(5) Addition or deletion of control point(s) for an authorized transmitter of a Class A station.

(6) Change or increase the area of operation of a Class A mobile station or a Class A base or fixed station authorized to be operated at temporary locations.

(7) Change the operating frequency of a Class A station.

(b) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address of the licensee is changed (without changing the authorized location of the base or fixed Class A station) a formal application for modification of the license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, and the call signs and classes of all radio stations authorized to the licensee under this part. The notice concerning Class B, C, or D radio stations shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be maintained with the records of the station. The notice concerning Class A stations shall be sent to (1) Secretary, Federal Communications Commission, Washington, D.C., 20554, and (2) to Engineer in Charge of the Radio District in which the station is located, and a copy shall be maintained with the license of the station until a new license is issued.

(c) Proposed changes which will not depart from any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is the substitution of various makes of transmitting equipment at any station, provided that the particular equipment to be installed is included in the Commis-

sion's "Radio Equipment List, Part C" and is listed as acceptable for use under this part or, in the case of a Class C or Class D station using crystal control on authorized frequencies in the 26.96–27.26 Mc/s band, the substitute equipment is crystal controlled; and further provided the substitute equipment employs the same type of emission and does not exceed the frequency tolerance and power limitation prescribed for the particular class of station involved.

§ 95.37 Limitations on antenna structures.

(a) No new antenna or antenna structures shall be erected for use by any Class A station licensed, or proposed to be licensed, in this service, and no change shall be made in any existing antenna or antenna structure used, or intended to be used, by any Class A station licensed, or proposed to be licensed, in this service so as to increase its overall height above ground level, without prior approval from the Commission in any case when either:

(1) The antenna structures proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on top of an existing man-made structure, other than an antenna structure, and does not increase the overall height of such man-made structure by more than 20 feet; or

(2) The antenna structures proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance or fraction thereof from the nearest boundary of such landing area except where the antenna does not exceed 20 feet above the ground or where the height of the antenna is mounted on top of an existing man-made structure, other than an antenna structure, or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet. Application for Commission approval, if required, shall be submitted on FCC Form 400.

(b) [Reserved]

(c) A Class B, Class C or Class D station operated at a fixed location shall employ a transmitting antenna which complies with at least one of the following:

(1) The antenna and its supporting structure does not exceed 20 feet in height above ground level; or

(2) The antenna and its supporting structure does not exceed by more than 20 feet the height of any natural formation, tree or man-made structure on which it is mounted; or

(3) The antenna is mounted on the transmitting antenna structure of another authorized radio station and does not exceed the height of the antenna supporting structure of the other station; or

(4) The antenna is mounted on and does not exceed the height of an antenna structure otherwise used solely for receiving purposes, which structure itself complies with subparagraph (1) or (2) of this paragraph.

NOTE: A man-made structure is any construction other than a tower, mast or pole.

(d) Class C stations operated on frequencies in the 72–76 Mc/s band shall employ a transmitting antenna which complies with all of the following:

(1) The gain of the antenna shall not exceed that of a half-wave dipole;

(2) The antenna shall be immediately attached to, and an integral part of, the transmitter; and

(3) Only vertical polarization shall be used.

SUBPART C—TECHNICAL REGULATIONS

§ 95.41 Frequencies available.

(a) The following frequencies are available for assignment to Class A base, mobile, or fixed stations, on a shared basis with other stations in the Citizens Radio Service:

Mc/s	*Mc/s*	*Mc/s*	*Mc/s*
462.55	463.15	**465.30**	465.90
462.60	463.20	465.35	465.95
462.65	464.75	465.40	466.00
462.70	464.80	465.45	466.05
462.75	464.85	465.50	466.10
462.80	464.90	465.55	466.15
462.85	464.95	465.60	466.20
462.90	465.05	465.65	466.25
462.95	465.10	465.70	466.30
463.00	465.15	465.75	466.35
463.05	465.20	465.80	466.40
463.10	465.25	465.85	466.45

(b) The frequency 465.00 Mc/s is available for use by Class B mobile stations under the conditions specified in §§ 95.45, 95.47, and 95.49 on a shared basis with other stations in the Citizens Radio Service. In addition, a Class B mobile station employing equipment which has been type accepted for use by Class A citizens radio stations, is authorized to be operated on any of the frequencies listed in paragraph (a) of this section.

(c) Class C mobile stations may employ only amplitude tone modulation or on-off keying of the unmodulated carrier, on a shared basis with other stations in the Citizens Radio Service on the frequencies and under the conditions specified in the following tables:

(1) For the control of remote objects or devices by radio, or for the remote actuation of devices which are used solely as a means of attracting attention and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band, the following frequencies are available:

Mc/s	*Mc/s*	*Mc/s*
26.995	27.095	27.195
27.045	27.145	[1] 27.255

[1] The frequency 27.255 Mc/s also is shared with stations in other services.

(2) Solely for the radio control of model aircraft and subject to the conditions (i) that interference will not be caused to the remote control of industrial equipment operating on the same or adjacent frequencies and to the reception of television transmissions on channels 4 or 5 and (ii) that no protection will be afforded from interference due to the operation of fixed and mobile stations in other services assigned to the same or adjacent frequencies in the band, the following frequencies are available.

Mc/s	*Mc/s*	*Mc/s*
72.08	72.40	75.64
72.24	72.96	

(d) The frequencies listed in the following tables are available for use by Class D mobile stations employing radiotelephony only, on a shared basis with other stations in the Citizens Radio Service, and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band.

(1) The following frequencies, commonly known as channels 1 through 23, may be used for communications between units of the same station:

Mc/s	*Mc/s*	*Mc/s*	*Mc/s*
26.965	27.035	27.115	27.185
26.975	27.055	27.125	27.205
26.985	27.065	27.135	27.215
27.005	27.075	27.155	27.225
27.015	27.085	27.165	[1] 27.255
27.025	27.105	27.175	

[1] The frequency 27.255 Mc/s is also shared with stations in other services.

(2) Only the following frequencies may be used for communication between units of different stations:

Mc/s	*Channel*	*Mc/s*	*Channel*
27.065	9	27.115	13
27.075	10	27.125	14
27.085	11	27.255	23
27.105	12		

(e) Upon specific request accompanying application for renewal of station authorization, a Class A station in this service, which was authorized to operate on a frequency in the 460–461 Mc/s band until March 31, 1967, may be assigned that frequency for continued use until not later than March 31, 1968, subject to all other provisions of this part.

[*§ 95.41(c) amended eff. 2–17–67; VI(66)–2*]

§ 95.43 Station power.

Neither the average power input to the plate or collector circuit or circuits which contribute radio frequency energy to the radiating system nor the average radio frequency power supplied to the radiating system of a station operating in this service shall exceed the following maximum values:

Class of station	Power input (average watts) [2]	Power output (average watts) [3]
A	60	48
B	5	4
C [1]	5	4
D	5	4

[1] On 27.255 Mc/s the average power permitted for Class C stations shall not exceed 30 watts input and 24 watts output. On frequencies in the 72–76 Mc/s band the average power for Class C stations shall not exceed 1 watt input and 0.75 watt output.

[2] For the purpose of this section, power measurement shall be made during maximum peaks of modulation using meters having a full scale accuracy of 2 percent or better and having a maximum time constant of not more than 0.25 of a second. Where the average unmodulated carrier power is increased by modulation applied to the circuit or circuits which contribute radio frequency energy to the radiating system, the sum of the unmodulated carrier power input and the average power output of the modulator shall not exceed the values specified in this table by more than 25 percent.

[3] Power output shall be measured at the transmitter.

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AUTHORITY: §§ 97.1 to 97.313 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. Sub. Chap. I, III–VI.

(b) Element 1(B): General code test at thirteen (13) words per minute;

(c) Element 1(C): Expert's code test at twenty (20) words per minute;

(d) Element 2: Basic law comprising rules and regulations essential to beginners' operation, including sufficient elementary radio theory for the understanding of those rules;

(e) Element 3: General amateur practice and regulations involving radio operation and apparatus and provisions of treaties, statutes, and rules affecting amateur stations and operators;

(f) Element 4(A): Intermediate amateur practice involving intermediate level radio theory and operation as applicable to modern amateur techniques, including, but not limited to, radiotelephony and radiotelegraphy;

(g) Element 4(B): Advanced amateur practice involving advanced radio theory and operation as applicable to modern amateur techniques, including, but not limited to, radiotelephony, radiotelegraphy, and transmissions of energy for measurements and observations applied to propagation, for the radio control of remote objects and for similar experimental purposes.

[*§ 97.21 amended eff. 11-22-67; VI(66)-3*]

§ 97.23 Examination requirements.

Applicants for original licenses will be required to pass the following examination elements:

(a) Amateur Extra Class: Elements 1(C), 3, 4(A), and 4(B);

(b) Advanced Class: Elements 1(B), 3, and 4(A);

(c) General Class and Conditional Class: Elements 1(B) and 3;

(d) Technician Class: Elements 1(A) and 3;

(e) Novice Class: Elements 1(A) and 2.

[*§ 97.23 amended eff. 11-22-67; VI(66)-3*]

§ 97.25 Examination credit.

(a) An applicant for a higher class of amateur operator license who holds a valid amateur operator license issued upon the basis of an examination by the Commission will be required to pass only those elements of the higher class examination that were not included in the examination for the amateur license held when such application was filed. However, credit will not be allowed for licenses issued on the basis of an examination given under the provisions of § 97.29(b).

(b) An applicant for any class of amateur operator license, except the Extra Class, will be given credit for the telegraph code element if within five years prior to the receipt of his application by the Commission he held a commercial radiotelegraph operator license or permit issued by the Federal Communications Commission.

(c) An applicant for the Amateur Extra Class operator license will be given credit for examination elements 1(C), 4(A), and 4(B), if he so requests and submits evidence of having held a valid amateur radio station or operator license issued by any agency of the U.S. Government during or prior to April 1917, and qualifies for or currently holds a valid amateur operator license of the General or Advanced Class.

(d) No examination credit, except as herein provided, shall be allowed on the basis of holding or having held any amateur or commercial operator license.

[*§ 97.25(c) amended eff. 11-22-67; VI(66)-3*]

§ 97.27 Availability of Conditional Class license examinations.

The examinations for Conditional Class will be available only under one or more of the following conditions:

(a) If the applicant's actual residence and proposed amateur station location are more than 175 miles airline distance from the nearest location at which examinations are conducted by an authorized Commission employee or representative at intervals of not more than 6 months for amateur operator license.

(b) If the applicant is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(c) If the applicant is shown by certificate of the commanding officer to be in the armed forces of the United States at an Army, Navy, Air Force, or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(d) If the applicant demonstrates by sufficient evidence that his temporary residence is for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this section.

§ 97.29 Manner of conducting examinations.

(a) The examination for Amateur Extra, Advanced, and General Classes of amateur operator licenses will be conducted by an authorized Commission employee or representative at locations and at times specified by the Commission.

(b) Unless otherwise prescribed by the Commission, an examination for the Conditional, Technician, or Novice Class license will be conducted and supervised by a volunteer examiner selected by the applicant. A

volunteer examiner shall be at least 21 years of age and shall be the holder of an Extra, Advanced, or General Class Amateur Radio operator license, or shall hold a Commercial radiotelegraph operator license issued by the Commission, or shall be employed in the service of the United States as the operator of a manually operated radiotelegraph station. The written portion of the examination shall be obtained, supervised, and submitted in accordance with the following procedure:

(1) Within 10 days after passing the required code test, an applicant shall submit an application (FCC Form 610), together with any filing fee prescribed, to the Commission's office at Gettysburg, Pennsylvania, 17325. The application shall include a written request from the volunteer examiner for the appropriate examination papers. The examiner's written request shall include (i) the names and permanent addresses of the examiner and the applicant, (ii) a description of the examiner's qualifications to administer the examination, (iii) the examiner's statement that the applicant has passed the code test for the class of license involved under his supervision within the 10 days prior to submission of the request, and (iv) the examiner's written signature. Examination papers will be forwarded only to the volunteer examiner.

NOTE: When the applicant is entitled to examination credit for the code test pursuant to § 97.25(b), an application may be submitted without regard to the 10 day limitation. The examiner's request should then state that a code test was not administered for that reason. The applicant should furnish details as to the class, number, and expiration date of the Commercial radiotelegraph operator license involved.

(2) The volunteer examiner shall be responsible for the proper conduct and necessary supervision of the examination. Administration of the examination shall be in accordance with the instructions included with the examination papers and as prescribed in §§ 97.29 (c) and (d), 97.31, and 97.33.

(3) The examination papers, either completed or unopened in the event the examination is not taken, shall be returned by the volunteer examiner to the Commission's office at Gettysburg, Pennsylvania within the time prescribed (normally not later than 20 days after the date when the papers are forwarded by the Commission).

(c) The code test required of an applicant for amateur radio operator license, in accordance with the provisions of §§ 97.21 and 97.23 shall determine the applicant's ability to transmit by hand key (straight key or, if supplied by the applicant, any other type of hand operated key such as a semi-automatic or electronic key) and to receive by ear, in plain language, messages in the International Morse Code at not less than the prescribed speed, free from omission or other error for a continuous period of at least 1 minute during a test period of 5 minutes counting five characters to the word, each numeral or punctuation mark counting as two characters.

(d) All written portions of the examinations for amateur operator privileges shall be completed by the applicant in legible handwriting or hand printing, and diagrams shall be drawn by hand, by means of either pen and ink or pencil. Whenever the applicant's signature is required, his normal signature shall be used. Applicants unable to comply with these requirements, because of physical disability, may dictate their answers to the examination questions and the receiving code test and if unable to draw required diagrams, may dictate a detailed description essentially equivalent. If the examination or any part thereof is dictated, the examiner shall certify the nature of the applicant's disability and the name and address of the person(s) taking and transcribing the applicant's dictation.

[*§ 97.29(a) amended eff. 11-22-67; VI(66)-3*]

§ 97.31 Grading of examinations.

(a) Code tests for sending and receiving are graded separately. Failure to pass the required code test for either sending or receiving will terminate the examination.

(b) Seventy-four percent (74%) is the passing grade for written examinations. For the purpose of grading, each element required in qualifying for a particular license will be considered as a separate examination. All written examinations will be graded only by Commission personnel.

[*§ 97.31(b) amended eff. 11-22-67; VI(66)-3*]

§ 97.33 Eligibility for re-examination.

An applicant who fails examination for an amateur operator license may not take another examination for the same or a higher class amateur operator license within 30 days, except that this limitation shall not apply to an examination for an Advanced or General Class license following an examination conducted by a volunteer examiner for a Novice, Technician, or Conditional Class license.

[*§ 97.33 amended eff. 11-22-67; VI(66)-3*]

§ 97.35 Additional examination for holders of Novice, Technician, or Conditional Class operator licenses.

(a) The Commission may require a licensee holding a Novice, Technician, or Conditional Class of operator license to appear for a Commission-supervised license examination at a location designated by the Commission. If the licensee fails to appear for this examination when directed to do so, or fails to pass such examination, the Novice, Technician, or Conditional Class operator license previously issued shall be subject to cancellation, and upon cancellation, a new license will not be issued for the same class operator license as that cancelled.

(b) Whenever the holder of a Novice, Technician, or Conditional Class amateur operator license is required by the Commission to restrict the operation of his amateur station, in accordance with the provisions of § 97.131, § 97.133, or § 97.135, the necessity for such restriction shall be considered sufficient grounds to require the holder of the Novice, Technician, or Conditional Class license to appear for a Commission-supervised examination.

(c) A holder of a Conditional Class license, obtained on the basis of an examination under the provisions of § 97.29(b), is not required to be re-examined when changing residence and station location to within a regular examination area, nor when a new examination location is established within 175 miles airline distance from such licensee's residence and station location.

STATION LICENSES

§ 97.37 General eligibility for station license.

A license for an amateur station will be issued in response to proper application therefor to a licensed amateur operator who has made a satisfactory showing of control of the transmitting station for which license is desired and of control of the specific premises upon which all of the station apparatus is to be located, at a designated fixed location. An amateur station license may also be issued to an individual, not a licensed amateur operator (other than an alien or a representative of an alien or of a foreign government), who is in charge of a proposed amateur station for recreation under military auspices (only of the Armed Forces of the United States) which is to be located in approved public quarters but not operated by the United States Government.

§ 97.39 Eligibility of corporations or organizations to hold station license.

An amateur station license will not be issued to a school, company, corporation, association, or other organization, nor for its use, except that in the case of a bona fide amateur radio organization or society, a station license may be issued to a licensed amateur operator, other than the holder of a Novice Class license, as trustee for such society.

§ 97.41 Application for station license.

(a) Each application for a station license shall be made in writing on FCC Form 610.

(b) One application and all papers incorporated therein and made a part thereof shall be submitted for each amateur station license. If the application is for station license only, it shall be filed directly with the Commission at its Gettysburg, Pa., office. If the application also contains application for any class of amateur operator license, it shall be filed in accordance with the provisions of § 97.11.

§ 97.43 Location of station.

(a) Every amateur station shall have a fixed transmitter location. Only one fixed transmitter location will be authorized and will be designated on the license for each amateur station, except that when remote control is authorized, the location of the remote control position as well as the location of the remotely controlled transmitter shall be considered as fixed transmitter locations and will be so designated on the station license. Unless remote control of the transmitting apparatus is authorized, such apparatus shall be operated only by a duly licensed amateur radio operator present at the location of such apparatus.

(b) Authority for operation of an amateur station with the licensed operator on duty at a specific remote control point in lieu of the remote transmitter location may be granted upon filing an application for a modified station license on FCC Form 610, provided that the following conditions are met:

(1) The remote control point as well as the remotely controlled transmitter, shall be located on premises controlled by the licensee.

(2) The remotely controlled transmitter shall be so installed and protected that it is inaccessible to other than duly authorized persons.

(3) In addition to the requirements of § 97.85 a photocopy of the amateur station license shall be posted in a conspicuous place at the location of the remotely controlled transmitter.

(4) Means shall be provided at the control point to permit the continuous monitoring of the emissions of the remotely controlled transmitter, and it shall be continuously monitored when in operation.

(5) Means shall be provided at the remote control point immediately to suspend the radiation of the transmitter when there is any deviation from the terms of the station license or from the Amateur Radio Service rules.

(6) In the event that operation of an amateur transmitter from a remote control point by radio is desired, an application for a modified station license on FCC Form 610 should be submitted with a letter requesting authority to operate in such a manner stating that the controlling transmitter at the remote control location will operate within amateur frequency bands 220 megacycles or higher and that there will be full compliance with subparagraphs (1) through (5) of this paragraph. Supplemental statements and diagrams should accompany the application and show how radio remote control will be accomplished and what means will be employed to prevent unauthorized operation of the transmitter by signals other than those from the controlling unit. There should be included complete data on control channels, relays and functions of each, directional antenna design for the transmitter and receiver in the control circuit and means employed for turning the main transmitter on and off from the remote control location.

(c) An amateur transmitter may be operated from a remote control point in lieu of the remote transmitter location without special authorization by the Commission when there is direct mechanical control or direct electrical control by wired connections of the

transmitter from a point located in the same or closely adjoining building or structure provided there is full compliance with the conditions set forth in paragraphs (b) (1) through (5) of this section.

§ 97.45 Limitations on antenna structures.

(a) No new antenna structure shall be erected for use by any station in the Amateur Radio Service, and no change shall be made in any existing antenna structure used or intended to be used by any station in the Amateur Radio Service so as to increase its overall height above ground level, without prior approval by the Commission, in any case when either (1) the antenna structure proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on an existing man-made structure other than an antenna structure and does not increase the overall height of such man-made structure by more than 20 feet, or (2) the antenna structure proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except where the height of the antenna does not exceed 20 feet above the ground or if the antenna is mounted on an existing man-made structure other than an antenna structure or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet as a result of such mounting.

(b) Further details as to whether an aeronautical study and/or obstruction marking may be required, and specifications for obstruction marking when required, may be obtained from Part 17 of this chapter, "Construction, Marking and Lighting of Antenna Structures." Information regarding requirements as to inspection of obstruction marking, recording of information regarding such inspection, and maintenance of antenna structures is also contained in Part 17 of this chapter.

§ 97.47 Renewal and/or modification of amateur station license.

(a) Application for renewal and/or modification of any station license shall be submitted on FCC Form 610. In every case the application shall be accompanied by the applicant's license. Applications for renewal of unexpired licenses must be made during the license term and should be filed within 90 days but not later than 30 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of an unexpired license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(b) If a license is allowed to expire, application for renewal may be made during a period of grace of one year after the expiration date. During this one year period of grace, an expired license is not valid. A license renewed during the grace period will be dated currently and will not be backdated to the date of expiration. Applications shall be submitted on FCC Form 610 and shall be accompanied by the applicant's expired license.

(c) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address is changed (without changing the authorized location of the amateur radio station) a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, and the call sign and the class of operator license. The notice shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be maintained with the license of each station until a new license is issued.

NOTE: For the rules governing operation of an amateur station away from the authorized location, see §§ 97.95–97.101.

§ 97.49 Commission modification of station license.

(a) Whenever the Commission shall determine that public interest, convenience, and necessity would be served, or any treaty ratified by the United States will be more fully complied with, by the modification of any radio station license either for a limited time, or for the duration of the term thereof, it shall issue an order for such licensee to show cause why such license should not be modified.

(b) Such order to show cause shall contain a statement of the grounds and reasons for such proposed modification, and shall specify wherein the said license is required to be modified. It shall require the licensee against whom it is directed to appear at a place and time therein named, in no event to be less than 30 days from the date of receipt of the order, to show cause why the proposed modification should not be made and the order of modification issued.

(c) If the licensee against whom the order to show cause is directed does not appear at the time and place provided in said order, a final order of modification shall issue forthwith.

CALL SIGNS

§ 97.51 Assignment of call signs.

(a) The call signs of amateur stations will be assigned systematically by the Commission with the following exceptions:

(1) A specific unassigned call sign may be reassigned to the most recent holder thereof;

(2) A specific unassigned call sign may be assigned to a previous holder if not under license during the past 5 years;

(3) A specific unassigned call sign may be assigned to an amateur organization in memoriam to a deceased member and former holder thereof;

(b) [Reserved]

(c) A holder of a Conditional Class license, obtained on the basis of an examination under the provisions of § 97.29(b), is not required to be re-examined when changing residence and station location to within a regular examination area, nor when a new examination location is established within 175 miles airline distance from such licensee's residence and station location.

[*§ 97.35(b) deleted eff. 4-21-67; VI(66)-2*]

STATION LICENSES

§ 97.37 General eligibility for station license.

A license for an amateur station will be issued in response to proper application therefor to a licensed amateur operator who has made a satisfactory showing of control of the transmitting station for which license is desired and of control of the specific premises upon which all of the station apparatus is to be located, at a designated fixed location. An amateur station license may also be issued to an individual, not a licensed amateur operator (other than an alien or a representative of an alien or of a foreign government), who is in charge of a proposed amateur station for recreation under military auspices (only of the Armed Forces of the United States) which is to be located in approved public quarters but not operated by the United States Government.

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An amateur station license will not be issued to a school, company, corporation, association, or other organization, nor for its use, except that in the case of a bona fide amateur radio organization or society, a station license may be issued to a licensed amateur operator, other than the holder of a Novice Class license, as trustee for such society.

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(c) Applicants proposing to construct a radio station on a site located on land under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

[*§ 97.41(c) adopted eff. 3-20-67; VI(66)-2*]

§ 97.43 Location of station.

(a) Every amateur station shall have a fixed transmitter location. Only one fixed transmitter location will be authorized and will be designated on the license for each amateur station, except that when remote control is authorized, the location of the remote control position as well as the location of the remotely controlled transmitter shall be considered as fixed transmitter locations and will be so designated on the station license. Unless remote control of the transmitting apparatus is authorized, such apparatus shall be operated only by a duly licensed amateur radio operator present at the location of such apparatus.

(b) Authority for operation of an amateur station with the licensed operator on duty at a specific remote control point in lieu of the remote transmitter location may be granted upon filing an application for a modified station license on FCC Form 610, provided that the following conditions are met:

(1) The remote control point as well as the remotely controlled transmitter, shall be located on premises controlled by the licensee.

(2) The remotely controlled transmitter shall be so installed and protected that it is inaccessible to other than duly authorized persons.

(3) In addition to the requirements of § 97.85 a photocopy of the amateur station license shall be posted in a conspicuous place at the location of the remotely controlled transmitter.

(4) Means shall be provided at the control point to permit the continuous monitoring of the emissions of the remotely controlled transmitter, and it shall be continuously monitored when in operation.

(5) Means shall be provided at the remote control point immediately to suspend the radiation of the transmitter when there is any deviation from the terms of the station license or from the Amateur Radio Service rules.

(6) In the event that operation of an amateur transmitter from a remote control point by radio is desired, an application for a modified station license on FCC Form 610 should be submitted with a letter requesting authority to operate in such a manner stating that the controlling transmitter at the remote control location will operate within amateur frequency bands 220 megacycles or higher and that there will be full compliance with subparagraphs (1) through (5) of this paragraph. Supplemental statements and diagrams should accompany the application and show how radio remote control will be accomplished and what means will be employed to prevent unauthorized operation of the transmitter by signals other than those from the controlling unit. There should be included complete data on control channels, relays and functions of each, directional antenna design for the transmitter and receiver in the control circuit and means employed for turning the main transmitter on and off from the remote control location.

(c) An amateur transmitter may be operated from a remote control point in lieu of the remote transmitter location without special authorization by the Commission when there is direct mechanical control or direct electrical control by wired connections of the transmitter from a point located in the same or closely adjoining building or structure provided there is full compliance with the conditions set forth in paragraphs (b) (1) through (5) of this section.

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(b) Further details as to whether an aeronautical study and/or obstruction marking may be required, and specifications for obstruction marking when required, may be obtained from Part 17 of this chapter, "Construction, Marking and Lighting of Antenna Structures." Information regarding requirements as to inspection of obstruction marking, recording of information regarding such inspection, and maintenance of

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(b) If a license is allowed to expire, application for renewal may be made during a period of grace of one year after the expiration date. During this one year period of grace, an expired license is not valid. A license renewed during the grace period will be dated currently and will not be backdated to the date of expiration. Applications shall be submitted on FCC Form 610 and shall be accompanied by the applicant's expired license.

(c) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address is changed (without changing the authorized location of the amateur radio station) a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, and the call sign and the class of operator license. The notice shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be maintained with the license of each station until a new license is issued.

NOTE: For the rules governing operation of an amateur station away from the authorized location, see §§ 97.95–97.101.

§ 97.49 Commission modification of station license.

(a) Whenever the Commission shall determine that public interest, convenience, and necessity would be served, or any treaty ratified by the United States will be more fully complied with, by the modification of any radio station license either for a limited time, or for the duration of the term thereof, it shall issue an order for such licensee to show cause why such license should not be modified.

(b) Such order to show cause shall contain a statement of the grounds and reasons for such proposed modification, and shall specify wherein the said license is required to be modified. It shall require the licensee against whom it is directed to appear at a place and time therein named, in no event to be less than 30 days from the date of receipt of the order, to show cause why the proposed modification should not be made and the order of modification issued.

(c) If the licensee against whom the order to show cause is directed does not appear at the time and place provided in said order, a final order of modification shall issue forthwith.

CALL SIGNS

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(2) A specific unassigned call sign may be assigned to a previous holder if not under license during the past 5 years;

(3) A specific unassigned call sign may be assigned to an amateur organization in memoriam to a deceased member and former holder thereof;

(4) A specific call sign may be temporarily assigned to a station connected with an event, or events, of general public interest;

(5) One unassigned two-letter call sign (a call sign having two letters following the numeral) may be assigned to a previous holder of a two-letter call sign, the prefix of which consisted of not more than a single letter. Additionally, a two-letter call sign may be assigned to an Amateur Extra Class licensee who first held any amateur radio operator license issued by the Commission, or by one of its predecessor agencies, 25 years or more prior to the receipt date of an application for such assignment. Applicants for two-letter call signs are not permitted to select a specific assignment except in accordance with subparagraphs (1) and (2) of this paragraph.

(b) An amateur call sign will consist of a sequence of one or two letters, a numeral designating the call sign area, and two or three letters. The call sign areas are as follows:

No.

1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.
2. New York, New Jersey.
3. Pennsylvania, Delaware, Maryland, District of Columbia.
4. Virginia, North and South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Puerto Rico and Virgin Islands.
5. Mississippi, Louisiana, Arkansas, Oklahoma, Texas, New Mexico.
6. California, Hawaii and Pacific possessions except those included in area 7.
7. Oregon, Washington, Idaho, Montana, Wyoming, Arizona, Nevada, Utah, Alaska and adjacent islands.
8. Michigan, Ohio, West Virginia.
9. Wisconsin, Illinois, Indiana.
10. Colorado, Nebraska, North and South Dakota, Kansas, Minnesota, Iowa, Missouri.

[§ 97.51(a)(5) *amended eff. 11-22-67; VI(66)-3*]

DUPLICATE LICENSES AND LICENSE TERM

§ 97.57 Duplicate license.

Any licensee requesting a duplicate license to replace an original which has been lost, mutilated, or destroyed, shall submit a statement setting forth the facts regarding the manner in which the original license was lost, mutilated, or destroyed. If, subsequent to receipt by the licensee of the duplicate license, the original license is found, either the duplicate or the original license shall be returned immediately to the Commission.

§ 97.59 License term.

(a) Amateur operator licenses are normally valid for a period of 5 years from the date of issuance of a new or renewed license, except the Novice Class which is normally valid for a period of 2 years from the date of issuance.

(b) The license for an amateur station is normally valid for a period of 5 years from the date of issuance of a new or renewed license except that an amateur station license issued to the holder of a Novice Class amateur operator license is normally valid for a period of 2 years from the date of issuance.

(c) A duplicate license or a modified license which is not being renewed shall bear the same expiration date as the license for which it is a modification or duplicate.

[§ 97.59 (a) and (b) *amended eff. 11-22-67; VI(66)-3*]

SUBPART C—TECHNICAL STANDARDS

§ 97.61 Authorized frequencies and types of emissions.

(a) Subject to the limitations and restrictions set forth in paragraph (b) of this section and in § 97.65, the following frequency bands and types of emissions are allocated and available for amateur station operation:

Band	Emission(s)	Limitations
kc/s		
1800 to 2000	A1, A3	1, 2, 3, 4
3500 to 4000	A1, A3, F1, F3	5
7000 to 7300	A1, A3, F1, F3	6
14000 to 14350	A1, A3, F1, F3	7
Mc/s		
21.0 to 21.45	A1, A3, F1, F3	8
28.0 to 29.7	A1, A3, F1, F3	9
50.0 to 54.0	AØ, A1, A2, A3, A4, FØ, F1, F2, F3	10
144 to 148	AØ, A1, A2, A3, A4, FØ, F1, F2, F3	11
220 to 225	AØ, A1, A2, A3, A4, FØ, F1, F2, F3, F4	12, 13
420 to 450	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5,	12, 14
1215 to 1300	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	12
2300 to 2450	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	12, 15
3300 to 3500	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	12
5650 to 5925	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	12, 15
10000 to 10500	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5.	12
21000 to 22000	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	----------
Above 40000	AØ, A1, A2, A3, A4, A5, FØ, F1, F2, F3, F4, F5, P.	----------

(b) Explanation of the limitations appearing in the frequency tabulation of paragraph (a) of this section:

(1) Use of this band is on a shared basis with the Loran-A system of radio-navigation. The amateur service may use, in any area, whichever bands, 1800-1825, 1875-1900 or 1900-1925, 1975-2000 kc/s, are not required for Loran-A in that area. The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran-A) service;

(2) The use of these frequencies by stations in the amateur service shall not cause harmful interference to the Loran-A system of radionavigation. If an amateur station causes such interference, the station licensee shall, as directed by the Commission, immediately cease operation on the frequencies involved.

(3) Amateur operation shall be limited to:

Area	Maximum DC plate input power in watts							
	1800–1825 kc/s		1875–1900 kc/s		1900–1925 kc/s		1975–2000 kc/s	
	Day	Night	Day	Night	Day	Night	Day	Night
Alabama	200	50	No operation		No operation		100	25
Alaska	200	50	200	50	No operation		No operation	
Arizona	100	25	100	25	100	25	500	100
Arkansas	200	50	No operation		No operation		200	50
California	No operation		No operation		200	50	500	200
Colorado	200	50	100	25	100	25	500	100
Connecticut	200	50	100	25	No operation		No operation	
Delaware	200	50	100	25	No operation		No operation	
District of Columbia	200	50	100	25	No operation		No operation	
Florida	100	25	No operation		No operation		No operation	
Georgia	100	25	No operation		No operation		No operation	
Hawaii	No operation		No operation		100	25	100	25
Idaho	100	25	200	50	200	50	500	100
Illinois	200	50	100	25	100	25	200	50
Indiana	200	50	100	25	100	25	100	25
Iowa	500	100	100	25	100	25	200	50
Kansas	500	100	100	25	100	25	200	50
Kentucky	200	50	100	25	100	25	100	25
Louisiana	200	50	No operation		No operation		100	25
Maine	500	100	100	25	No operation		No operation	
Maryland	200	50	100	25	No operation		No operation	
Massachusetts	500	100	100	25	No operation		No operation	
Michigan:								
(Upper Peninsula)	500	100	100	25	100	25	200	50
(Lower Peninsula)	500	100	100	25	100	25	100	25
Minnesota	500	100	100	25	100	25	200	50
Mississippi	200	50	No operation		No operation		100	25
Missouri	200	50	100	25	100	25	200	50
Montana:								
(West of 111° W.)	100	25	200	50	200	50	500	100
(East of 111° W.)	200	50	200	50	200	50	500	100
Nebraska	500	100	100	25	100	25	500	100
Nevada	100	25	200	50	200	50	500	200
New Hampshire	500	100	100	25	No operation		No operation	
New Jersey	200	50	100	25	No operation		No operation	
New Mexico	200	50	100	25	100	25	500	100
New York:								
(North of 42° N.)	500	100	100	25	No operation		No operation	
(South of 42° N.)	200	50	100	25	No operation		No operation	
North Carolina	200	50	No operation		No operation		No operation	
North Dakota	500	100	200	50	200	50	500	100
Ohio	200	50	100	25	100	25	100	25
Oklahoma	500	100	No operation		No operation		200	50
Oregon	No operation		No operation		200	50	500	100
Pennsylvania	200	50	100	25	No operation		No operation	
Rhode Island	200	50	100	25	No operation		No operation	
South Carolina	100	25	No operation		No operation		No operation	
South Dakota	500	100	100	25	100	25	500	100
Tennessee	200	50	No operation		No operation		100	25
Texas:								
(East of 103° W.)	500	100	No operation		No operation		200	50
(West of 103° W.)	200	50	100	25	100	25	500	100
Utah	100	25	100	25	100	25	500	100
Vermont	500	100	100	25	No operation		No operation	
Virginia	200	50	100	25	No operation		No operation	
Washington	No operation		No operation		200	50	500	100
West Virginia	200	50	100	25	No operation		No operation	
Wisconsin	500	100	100	25	100	25	200	50
Wyoming	200	50	100	25	100	25	500	100
Puerto Rico	No operation		No operation		100	25	100	25
Virgin Islands	No operation		No operation		100	25	100	25
Swan Island	500	100	No operation		No operation		100	25
Serrana Bank	500	100	No operation		No operation		100	25
Roncador Key	500	100	No operation		No operation		100	25
Navassa Island	No operation		No operation		No operation		100	25
Baker, Canton, Enderbury, Guam, Howland, Jarvis, Johnston, Midway and Palmyra Islands	No operation		No operation		500	100	500	100
American Samoa	500	200	500	200	500	200	500	200
Wake Island	500	100	500	100	No operation		No operation	

(4) Subparagraphs (1), (2), and (3) of this paragraph shall be considered as temporary in the sense that they shall remain subject to cancellation or to revision, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran–A system of radionavigation.

(5) 3500 to 4000 kc/s, type A1 emission; 3500 to 3800 kc/s, type F1 emission; 3800 to 4000 kc/s, type A3 emission and narrow band frequency or phase modulation for radiotelephony; except that frequencies 3900 to 4000 kc/s are not available to stations located within the following United States possessions in Region 3, as defined in the Geneva 1959 Radio Regulations:

Baker, Canton, Enderbury, Guam, Howland, Jarvis, Palmyra, American Samoa, and Wake Islands.

(6) 7000 to 7300 kc/s, type A1 emission; 7000 to 7200 kc/s, type F1 emission; 7200 to 7300 kc/s, type A3 emission or narrow band frequency or phase modulation for radiotelephony.

(7) 14,000 to 14,350 kc/s, type A1 emission; 14,000 to 14,200 kc/s, type F1 emission; 14,200 to 14,350 kc/s, type A3 emission or narrow band frequency or phase modulation for radiotelephony.

(8) 21.00 to 21.45 Mc/s, type A1 emission; 21.00 to 21.25 Mc/s, type F1 emission; 21.25 to 21.45 Mc/s, type A3 emission and narrow band frequency or phase modulation for telephony.

(9) 28.0 to 29.7 Mc/s, type A1 emission; 28.5 to 29.7 Mc/s, type A3 emission and narrow band frequency or phase modulation for radiotelephony and, on frequencies 29.0 to 29.7 Mc/s, special emission for frequency modulation (radiotelephone transmissions and radiotelegraph transmissions employing carrier shift or other frequency modulation techniques).

(10) 50.0 to 54.0 Mc/s, type A1 emission; 50.1 to 54.0 Mc/s, type A2, A3, A4 and narrow band F1, F2 and F3 emissions; 51.0 to 54.0 Mc/s, type AØ emission; 52.5 to 54.0 Mc/s, type FØ, F1, F2, and F3 emission.

(11) 144.0 to 148.0 Mc/s, type A1 emission; 144.0 to 147.9 Mc/s, type AØ, A2, A3, A4, FØ, F1, F2, and F3 emission.

(12) In this band the amateur service shall not cause harmful interference to the government radiolocation service.

(13) In those portions of the States of Texas and New Mexico in the area bounded on the south by parallel 31°53′ N., on the east by longitude 105°40′ W., on the north by parallel 33°24′ N., and on the west by longitude 106°40′ W., the frequency band 220–225 Mc/s is not available for use by amateur stations engaged in normal amateur operation between the hours of 0500 and 1800 local time Monday through Friday inclusive of each week. However, the entire frequency band 220–225 Mc/s shall be available in all areas to those amateur stations authorized to operate in an organized civil defense network during all periods when civil defense emergencies exist and, in addition, special arrangements for civil defense drills between the hours and within the area set forth in this subparagraph may be made upon mutual agreement between the Federal Communications Commission Engineer in Charge at Dallas, Texas, and the Area Frequency Coordinator at White Sands, New Mexico, if it appears necessary to conduct such drills. Such arrangements shall specify dates and times, and will depend upon the degree of use of the frequency band at White Sands at any particular time.

(14) Within the following areas, the DC plate power input to the final stage of the transmitter shall not exceed 50 watts, unless expressly authorized by the Commission after mutual agreement, on a case-by-case basis, between the Federal Communications Commission Engineer in Charge at the applicable District Office and the Military Area Frequency Coordinator at the applicable military base:

(i) Those portions of Texas and New Mexico bounded on the south by latitude 31°53′ North, on the east by longitude 105°40′ West, on the north by latitude 33°24′ North, and on the west by longitude 106°40′ West;

(ii) The entire State of Florida, including the Key West area and the areas enclosed within a 200-mile radius of Patrick Air Force Base, Florida (latitude 28°21′ North, longitude 80°43′ West), and within a 200 mile radius of Eglin Air Force Base, Florida (latitude 30°30′ North, longitude 86°30′ West);

(iii) The entire State of Arizona;

(iv) Those portions of California and Nevada south of latitude 37°10′ North, and the areas enclosed within a 200-mile radius of the U.S. Naval Missile Center, Point Mugu, California (latitude 34°09′ North, longitude 119°11′ West).

(15) Operations in the frequency bands 2300 to 2450 Mc/s and 5650 to 5925 Mc/s are subject to such interference between 2400 and 2450 Mc/s and between 5775 and 5925 Mc/s, respectively, as may result from emissions of industrial, scientific and medical devices on the frequencies 2450 and 5800 Mc/s, respectively.

§ 97.63 Individual frequency not specified.

Transmissions by an amateur station may be on any frequency within any authorized amateur band. Sideband frequencies resulting from keying or modulating a carrier wave shall be confined within the authorized amateur band.

§ 97.65 Special emission limitations.

(a) Type AØ emission, where not specifically designated in the bands listed in § 97.61, may be used for short periods of time when required for authorized remote control purposes or for experimental purposes. However, these limitations do not apply where type AØ emission is specifically designated.

(b) Whenever code practice, in accordance with § 97.91(d), is conducted in bands authorized for A3 emission, tone modulation of the radiotelephone transmitter may be utilized when interspersed with appropriate voice instructions.

(c) The use of narrow band frequency or phase modulation is subject to the conditions that the bandwidth of the modulated carrier shall not exceed the bandwidth occupied by an amplitude-modulated carrier of the same audio characteristics, and that the purity and stability of such emissions shall be maintained in accordance with the requirements of § 97.73.

§ 97.67 Maximum authorized power.

Except for power restrictions as set forth in § 97.61, each amateur transmitter may be operated with a power input not exceeding 1 kilowatt to the plate circuit of the final amplifier stage of an amplifier-oscillator transmitter or to the plate circuit of an oscillator transmitter. An amateur transmitter operating

with a power input exceeding 900 watts to the plate circuit shall provide means for accurately measuring the plate power input to the vacuum tube or tubes supplying power to the antenna.

§ 97.69 Radio teleprinter transmissions.

The following special conditions shall be observed during the transmission of radio teleprinter signals on authorized frequencies by amateur stations:

(a) A signal channel five-unit (start-stop) teleprinter code shall be used which shall correspond to the International Telegraphic Alphabet No. 2 with respect to all letters and numerals (including the slant sign or fraction bar) but special signals may be employed for the remote control of receiving printers, or for other purposes, in "figures" positions not utilized for numerals. In general, this code shall conform as nearly as possible to the teleprinter code or codes in common commercial usage in the United States.

(b) The nominal transmitting speed of the radio teleprinter signal keying equipment shall be adjusted as nearly as possible to the standard speed of 60 words per minute and, in any event, within the range 55 to 65 words per minute.

(c) When frequency shift keying (type F1 emission) is utilized, the deviation in frequency from the mark signal to space signal, or from the space signal to the mark signal, shall be less than 900 cycles per second.

(d) When audio frequency shift keying (type A2 or type F2 emission) is utilized, the highest fundamental modulating audio frequency shall not exceed 3000 cycles per second, and the difference between the modulating audio frequency for the mark signal and that for the space signal shall be less than 900 cycles per second.

§ 97.71 Transmitter power supply.

The licensee of an amateur station using frequencies below 144 megacycles shall use adequately filtered direct-current plate power supply for the transmitting equipment to minimize modulation from this source.

§ 97.73 Purity and stability of emissions.

Spurious radiation from an amateur station being operated with a carrier frequency below 144 megacycles shall be reduced or eliminated in accordance with good engineering practice. This spurious radiation shall not be of sufficient intensity to cause interference in receiving equipment of good engineering design including adequate selectivity characteristics, which is tuned to a frequency or frequencies outside the frequency band of emission normally required for the type of emission being employed by the amateur station. In the case of A3 emission, the amateur transmitter shall not be modulated to the extent that interfering spurious radiation occurs, and in no case shall the emitted carrier wave be amplitude-modulated in excess of 100 percent. Means shall be employed to insure that the transmitter is not modulated in excess of its modulation capability for proper technical operation. For the purposes of this section a spurious radiation is any radiation from a transmitter which is outside the frequency band of emission normal for the type of transmission employed, including any component whose frequency is an integral multiple or submultiple of the carrier frequency (harmonics and subharmonics), spurious modulation products, key clicks, and other transient effects, and parasitic oscillations. When using amplitude modulation on frequencies below 144 megacycles, simultaneous frequency modulation is not permitted and when using frequency modulation on frequencies below 144 megacycles simultaneous amplitude modulation is not permitted. The frequency of the emitted carrier wave shall be as constant as the state of the art permits.

§ 97.75 Frequency measurement and regular check.

The licensee of an amateur station shall provide for measurement of the emitted carrier frequency or frequencies and shall establish procedure for making such measurement regularly. The measurement of the emitted carrier frequency or frequencies shall be made by means independent of the means used to control the radio frequency or frequencies generated by the transmitting apparatus and shall be of sufficient accuracy to assure operation within the amateur frequency band used.

SUBPART D—OPERATING REQUIREMENTS AND PROCEDURES

GENERAL

§ 97.77 Practice to be observed by all licensees.

In all respects not specifically covered by these regulations each amateur station shall be operated in accordance with good engineering and good amateur practice.

§ 97.79 Who may operate an amateur station.

An amateur radio station may be operated only by a person holding a valid amateur operator license. Such station may be operated by the licensee only in the manner and to the extent provided in his amateur operator license. Persons other than the station licensee, when operating such station may operate it only to the extent and in the manner authorized to the licensee of the station and not exceeding the operating authority of such person's own amateur operator license. When an amateur station is used for telephony or radio teleprinter transmissions the station licensee may permit any person to transmit by voice or teleprinter, provided during such transmission call signs are announced or transmitted as prescribed by § 97.87 and a duly licensed amateur operator maintains actual control over the emissions, including turning the carrier on and off for each transmission and signing the station off after communication with each station has been completed.

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

TRANSMITTAL SHEET NO. VI(66)-7

TO

VOLUME VI OF RULES AND REGULATIONS
OCTOBER 1966 EDITION

On the new pages, identified with the transmittal sheet number, the new or amended section, or subsection, is followed by a statement of the effective date of the amendment. The nature of the change may be determined by comparing the old and new texts.

The attached substitute pages include the following actions:

Date of adoption	*Effective date*	*FCC Document No.*	*Docket No.*	*Federal Register Date and Citation*
12–12–68	1–24–69	68–1178	18266	12–20–68, 33 F.R. 19017
ERRATA	1–24–69	#24356	18266	1–1–69, 34 F.R. 11
Section affected: 97.9(f).				
1–10–69	1–21–69	#25535	------	1–17–69, 34 F.R. 752
Section affected: Part 97 (Appendix 1).				

INSTRUCTIONS

Remove the following pages	*Insert the attached pages*
29–30	29–30
55	55

File this Transmittal Sheet at the front of the Volume. It will provide a reference authority for changes, a method of determining that all amendments have been received, and a check for determining if the volume contains the proper pages.

SUBPART A—GENERAL

§ 97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

(a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications.

(b) Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.

(c) Encouragement and improvement of the amateur radio service through rules which provide for advancing skills in both the communication and technical phases of the art.

(d) Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.

(e) Continuation and extension of the amateur's unique ability to enhance international good will.

§ 97.3 Definitions.

(a) *Amateur service.* A radio service carried on by amateur stations.

(b) *Amateur operator.* A person interested in radio technique solely with a personal aim and without pecuniary interest, holding a valid license issued by the Federal Communications Commission authorizing him to operate licensed amateur stations.

(c) *Amateur station.* A station used by an amateur operator, and embracing all radio transmitting apparatus at a particular location used for amateur service and operated under a single instrument of authorization.

(d) *Amateur portable station.* An amateur station that is so constructed that it may conveniently be moved about from place to place for communication, but which is not operated while in motion.

(e) *Amateur mobile station.* An amateur station that is so constructed that it may conveniently be transferred to or from a mobile unit or from one such unit to another, and is ordinarily used while such mobile unit is in motion.

(f) *Amateur radio communication.* Radio communication between amateur stations solely with a personal aim and without pecuniary interest.

(g) *Remote control.* Control of transmitting equipment of an amateur station from an operating position other than one at which the transmitter is in view and immediately accessible, except that, direct mechanical control or direct electrical control by wired connections of an amateur transmitter from a point located on board any aircraft, vessel or vehicle on which such transmitter is located shall not be considered remote control within the meaning of this definition.

(h) *Antenna structure.* The radiating system, including its supporting structures, and any surmounting appurtenances.

(i) *Aircraft landing area.* Any locality, either on land or water, including airports and intermediate landing fields, which is used, or approved for use, for landing and take-off of aircraft whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for the receiving or discharging of passengers or cargo.

SUBPART B—AMATEUR OPERATOR AND STATION LICENSES

OPERATOR LICENSES

§ 97.5 Classes of operator licenses.

Amateur extra class.
Advanced class (previously class A).
General class (previously class B).
Conditional class (previously class C).
Technician class.
Novice class.

§ 97.7 Privileges of operator licenses.

(a) *Amateur Extra Class and Advanced Class.* All authorized amateur privileges including exclusive frequency operating authority in accordance with the following table, effective on the dates shown:

Frequencies	Class of license authorized	Effective date
3500–3525 kc/s 3800–3825 kc/s 7000–7025 kc/s 14,000–14,025 kc/s 21,000–21,025 kc/s 21,250–21,275 kc/s	Amateur extra only	Nov. 22, 1968
3500–3550 kc/s 3800–3825 kc/s 7000–7050 kc/s 14,000–14,050 kc/s 21,000–21,050 kc/s 21,250–21,275 kc/s	Amateur extra only	Nov. 22, 1969
3825–3850 kc/s 7200–7225 kc/s 14,200–14,235 kc/s 21,275–21,300 kc/s 50–50.1 Mc/s	Amateur extra and advanced.	Nov. 22, 1968
3825–3900 kc/s 7200–7250 kc/s 14,200–14,275 kc/s 21,275–21,350 kc/s 50–50.25 Mc/s	Amateur extra and advanced.	Nov. 22, 1969

(b) *General Class and Conditional Class.* All authorized amateur privileges except those exclusive frequency operating privileges which are reserved to the Advanced Class and/or the Amateur Extra Class.

(c) *Technician Class.* All authorized amateur privileges on the frequencies 50.25–54 Mc/s and 145–147 Mc/s and in the amateur frequency bands above 220 Mc/s.

NOTE: Technician Class licensees may additionally operate on the frequencies 50–50.1 Mc/s until November 22, 1968, and 50.1 to 50.25 Mc/s until November 22, 1969.

(d) *Novice Class.* Those amateur privileges designated and limited as follows:

(1) The d.c. plate power input to the vacuum tube or tubes supplying power to the antenna shall not exceed 75 watts, and the transmitter shall be crystal controlled.

(2) Radiotelegraphy operation in the frequency bands 3700–3750 kc/s, 7150–7200 kc/s, and 21.10–21.25 Mc/s, using only type A–1 emission and 145–147 Mc/s, using radiotelegraphy emissions as set forth in § 97.61, is authorized.

NOTE: Novice Class licensees may additionally operate until November 22, 1968, on 145–147 Mc/s for radiotelephony using types of emission as set forth in § 97.61.

§ 97.9 Eligibility for new operator license.

Persons are eligible to apply for the various classes of amateur operator licenses as follows:

(a) *Amateur extra class.* Any citizen or national of the United States who either (1) at any time prior to receipt of his application by the Commission has held for a period of 2 years or more a valid amateur operator license issued by the Federal Communications Commission, excluding licenses of the Novice and Technician Classes, or (2) submits evidence of having held a valid amateur radio station or operator license issued by any agency of the U.S. Government during or prior to April 1917.

(b) *Advanced Class.* Any citizen or national of the United States.

(c) *General class.* Any citizen or national of the United States.

(d) *Conditional class.* Any citizen or national of the United States:

(1) Whose actual residence and amateur station location are more than 175 miles airline distance from the nearest location at which examinations are held at intervals of not more than 6 months for General Class amateur operator licenses.

(2) Who is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(3) Who is shown by certificate of the commanding officer to be in the armed forces of the United States at any Army, Navy, Air Force, or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(4) Who furnishes sufficient evidence, at the time of filing, of temporary residence for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this paragraph.

(e) *Technician class.* Any citizen or national of the United States.

(f) *Novice Class.* Any citizen or national of the United States, except a person who holds, or who has held within the 12-month period prior to the date of receipt of his application, a Commission-issued amateur radio license. The Novice Class license may not be concurrently held with any other class of amateur radio license.

[*§ 97.9(f) amended eff. 1–24–69; VI(66)–7*]

§ 97.11 Application for operator license.

(a) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which will require an examination supervised by Commission personnel at a regular Commission examining office shall be submitted to such office in advance of or at the time of the examination, except that, whenever an examination is to be taken at a designated examination point away from a Commission office, the application, together with the necessary filing fee should be submitted in advance of the ex-

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Albuquerque, N. Mex.	Lubbock, Tex.
Boise, Idaho.	Portland, Maine.
El Paso, Tex.	Salem, Va.
Fairbanks, Alaska.	Spokane, Wash.
Hartford, Conn.	Tucson, Ariz.
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ANNUAL

Bakersfield, Calif.	Klamath Falls, Oreg.
Bangor, Maine.	Lihue, Hawaii.
Billings, Mont.	Marquette, Mich.
Great Falls, Mont.	Missoula, Mont.
Hilo, Hawaii.	Rapid City, S. Dak.
Jamestown, N. Dak.	Wailuku, Hawaii.

Arrangements have also been made, including cooperation of other Federal agencies, for General Class examinations in outlying areas as follows:

Alaska: Alaska Communications System stations.

Guam: District Communications Officer, United States naval station.

Hawaii: At not exceeding one point on any island, by the Engineer in Charge (Honolulu).

[*App. 1 (Annual), Butte, Mont. deleted, and Missoula, Mont. added eff. 1-21-69; VI(66)-7*]

Appendix 2

Extracts From Radio Regulations Annexed to the International Telecommunication Convention (Geneva, 1959)

ARTICLE 41—AMATEUR STATIONS

Section 1. Radiocommunications between amateur stations of different countries shall be forbidden if the administration of one of the countries concerned has notified that it objects to such radiocommunications.

Sec. 2. (1) When transmissions between amateur stations of different countries are permitted, they shall be made in plain language and shall be limited to messages of a technical nature relating to tests and to remarks of a personal character for which, by reason of their unimportance, recourse to the public telecommunications service is not justified. It is absolutely forbidden for amateur stations to be used for transmitting international communications on behalf of third parties.

(2) The preceding provisions may be modified by special arrangements between the administrations of the countries concerned.

Sec. 3. (1) Any person operating the apparatus of an amateur station shall have proved that he is able to send correctly by hand and to receive correctly by ear, texts in Morse code signals. Administrations concerned may, however, waive this requirement in the case of stations making use exclusively of frequencies above 144 Mc/s.

(2) Administrations shall take such measures as they judge necessary to verify the technical qualifications of any person operating the apparatus of an amateur station.

Sec. 4. The maximum power of amateur stations shall be fixed by the administrations concerned, having regard to the technical qualifications of the operators and to the conditions under which these stations are to work.

Sec. 5. (1) All the general rules of the Convention and of these Regulations shall apply to amateur stations. In particular, the emitted frequency shall be as stable and as free from spurious emissions as the state of technical development for such stations permits.

(2) During the course of their transmissions, amateur stations shall transmit their call sign at short intervals.

Appendix 3

CLASSIFICATION OF EMISSIONS

For convenient reference the tabulation below is extracted from the classification of typical emissions in Part 2 of the Commission's Rules and Regulations and in the Radio Regulations, Geneva, 1959, and it includes only those general classifications which appear most applicable to the Amateur Radio Service.

Type of modulation	Type of transmission	Symbol
Amplitude	With no modulation	AØ
	Telegraph without the use of modulating audio frequency (by on-off keying).	A1
	Telegraphy by the on-off keying of an amplitude modulating audio frequency or audio frequencies or by the on-off keying of the modulated emission (special case: an unkeyed emission amplitude modulated).	A2
	Telephony	A3 [1]
	Facsimile	A4
	Television	A5
Frequency (or phase).	Telegraphy by frequency shift keying without the use of a modulating audio frequency.	F1
	Telegraphy by the on-off keying of a frequency modulating audio frequency or by the on-off keying of frequency modulated emission (special case: an unkeyed emission frequency modulated).	F2
	Telephony	F3
	Facsimile	F4
	Television	F5
Pulse		P

[1] (In Part 97) unless specified otherwise, A3 includes single and double side band with full, reduced, or suppressed carrier.

Appendix 4

Convention Between the United States of America and Canada, Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country
(Effective May 15, 1952)

ARTICLE III

It is agreed that persons holding appropriate amateur licenses issued by either country may operate their amateur stations in the territory of the other country under the following conditions:

(a) Each visiting amateur may be required to register and receive a permit before operating any amateur station licensed by his government.

(b) The visiting amateur will identify his station by:

(1) *Radiotelegraph operation.* The amateur call sign issued to him by the licensing country followed by a slant (/) sign and the amateur call sign prefix and call area number of the country he is visiting.

(2) *Radiotelephone operation.* The amateur call sign in English issued to him by the licensing country followed by the words, "fixed," "portable" or "mobile," as appropriate, and the amateur call sign prefix and call area number of the country he is visiting.

(c) Each amateur station shall indicate at least once during each contact with another station its geographical location as nearly as possible by city and state or city and province.

(d) In other respects the amateur station shall be operated in accordance with the laws and regulations of the country in which the station is temporarily located.

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TRANSMITTAL SHEET NO. VI(66)-8

TO

VOLUME VI OF RULES AND REGULATIONS
OCTOBER 1966 EDITION

On the new pages, identified with the transmittal sheet number, the new or amended section, or subsection, is followed by a statement of the effective date of the amendment. The nature of the change may be determined by comparing the old and new texts.

The attached substitute pages include the following actions:

Date of adoption	*Effective date*	*FCC Document No.*	*Docket No.*	*Federal Register Date and Citation*
2-26-69	3-7-69	69-159	----------	3-5-69, 34 F.R. 3806
Section affected: 95.101.				
4-9-69	4-18-69	69-353	----------	4-16-69, 34 F.R. 6528
Section affected: 97.37.				

NOTICE

This will be the last transmittal sheet for the 1966 edition of Volume VI.A revised edition dated July 1969, will be published at an early date. Please note that a new price of $2.00 domestic and $2.50 foreign has been established for subscriptions to the July 1969 volume. Renewal notices will be distributed by and should be returned to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, as promptly as possible to insure continuity of service.

INSTRUCTIONS

Remove the following pages	*Insert the attached pages*
22-A	22-A
33—34	33—34

File this transmittal sheet at the front of the volume. It will provide a reference authority for changes, a method of determining that all amendments have been received, and a check for determining if the volume contains the proper pages.

(d) Any tests and adjustments necessary to correct any deviation of a transmitter of any Class of station in this service from the technical requirements of the rules in this part shall be made by, or under the immediate supervision of, a person holding a first- or second-class commercial operator license, either radiotelephone or radiotelegraph, as may be appropriate for the type of emission employed.

§ 95.101 Posting station license and transmitter identification cards or plates.

(a) The current authorization, or a clearly legible photocopy thereof, for each station (including units of a Class B, Class C, or Class D station) operated at a fixed location shall be posted at a conspicuous place at the principal fixed location from which such station is controlled, and a photocopy of such authorization shall also be posted at all other fixed locations from which the station is controlled. If a photocopy of the authorization is posted at the principal control point, the location of the original shall be stated on that photocopy. In addition, an executed Transmitter Identification Card (FCC Form 452–C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each transmitter operated at a fixed location when such transmitter is not in view of, or is not readily accessible to, the operator of at least one of the locations at which the station authorization or a photocopy thereof is required to be posted.

(b) The current authorization for each station operated as a mobile station shall be retained as a permanent part of the station records, but need not be posted. In addition, an executed Transmitter Identification Card (FCC Form 452–C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each of such transmitters: *Provided*, That, if the transmitter is not in view of the location from which it is controlled, or is not readily accessible for inspection, then such card or plate shall be affixed to the control equipment at the transmitter operating position or posted adjacent thereto.

[*§ 95.101(a) amended eff. 3-7-69; VI(66)-8*]

§ 95.103 Inspection of stations and station records.

All stations and records of stations in the Citizens Radio Service shall be made available for inspection upon the request of an authorized representative of the Commission made to the licensee or to his representative (see § 1.6 of this chapter). Unless otherwise stated in this part, all required station records shall be maintained for a period of at least 1 year.

§ 95.105 Current copy of rules required.

Each licensee in this service shall maintain as a part of his station records a current copy of Part 95, Citizens Radio Service, of this chapter.

§ 95.107 Inspection and maintenance of tower marking and associated control equipment.

The licensee of any radio station which has an antenna structure required to be painted or illuminated pursuant to the provisions of section 303(q) of the Communications Act of 1934, as amended, and/or Part 17 of this chapter shall operate and maintain the tower marking and associated control equipment in accordance with the following paragraphs of this section.

(a) The tower lights shall be observed at least once each 24 hours, either visually or by observing an automatic and properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly as required; or, alternatively, there shall be provided and properly maintained an automatic alarm system designed to detect any failure of the tower lights and to provide indication of such failure to the licensee.

(b) Any observed or otherwise known failure of a code or rotating beacon light or top light not corrected within 30 minutes, regardless of the cause of such failure, shall be reported immediately by telephone or telegraph to the nearest Air Traffic Communications Station or office of the Federal Aviation Agency. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

the same or a higher class amateur operator license within 30 days, except that this limitation shall not apply to an examination for an Advanced or General Class license following an examination conducted by a volunteer examiner for a Novice, Technician, or Conditional Class license.

§ 97.35 Additional examination for holders of operator licenses obtained by mail.

(a) A licensee who holds an amateur license which was obtained by a mail examination under the supervision of a volunteer examiner may be required to appear for a Commission supervised license examination at a location designated by the Commission. If the licensee fails to appear for this examination when directed to do so, or fails to pass such examination, the operator license involved shall be subject to cancellation. When a Novice, Technician, or Conditional Class license is cancelled under this provision, a new license will not be issued for the same class operator license as that cancelled.

(b) [Reserved]

(c) A holder of a Conditional Class license, obtained on the basis of an examination under the provisions of § 97.29(b), is not required to be re-examined when changing residence and station location to within a regular examination area, nor when a new examination location is established within 175 miles airline distance from such licensee's residence and station location.

STATION LICENSES

§ 97.37 General eligibility for station license.

A license for an amateur station will be issued in response to proper application therefor to a licensed amateur operator for use at a designated fixed location. An amateur station license may also be issued to an individual, not a licensed amateur operator (other than an alien or a representative of an alien or of a foreign government), who is in charge of a proposed amateur station for recreation under military auspices (only of the Armed Forces of the United States) which is to be located in approved public quarters but not operated by the U.S. Government.

[*§ 97.37 amended eff. 4–18–69; VI(66)–8*]

§ 97.39 Eligibility of corporations or organizations to hold station license.

An amateur station license will not be issued to a school, company, corporation, association, or other organization, nor for its use, except that in the case of a bona fide amateur radio organization or society, a station license may be issued to a licensed amateur operator, other than the holder of a Novice Class license, as trustee for such society.

§ 97.41 Application for station license.

(a) Each application for a station license shall be made in writing on FCC Form 610.

(b) One application and all papers incorporated therein and made a part thereof shall be submitted for each amateur station license. If the application is for station license only, it shall be filed directly with the Commission at its Gettysburg, Pa., office. If the application also contains application for any class of amateur operator license, it shall be filed in accordance with the provisions of § 97.11.

(c) Applicants proposing to construct a radio station on a site located on land under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

§ 97.43 Location of station.

(a) Every amateur station shall have a fixed transmitter location. Only one fixed transmitter location will be authorized and will be designated on the license for each amateur station, except that when remote control is authorized, the location of the remote control position as well as the location of the remotely controlled transmitter shall be considered as fixed transmitter locations and will be so designated on the station license. Unless remote control of the transmitting apparatus is authorized, such apparatus shall be operated only by a duly licensed amateur radio operator present at the location of such apparatus.

(b) Authority for operation of an amateur station with the licensed operator on duty at a specific remote control point in lieu of the remote transmitter location may be granted upon filing an application for a modified station license on FCC Form 610, provided that the following conditions are met:

(1) The remote control point as well as the remotely controlled transmitter, shall be located on premises controlled by the licensee.

(2) The remotely controlled transmitter shall be so installed and protected that it is inaccessible to other than duly authorized persons.

(3) In addition to the requirements of § 97.85 a photocopy of the amateur station license shall be posted in a conspicuous place at the location of the remotely controlled transmitter.

(4) Means shall be provided at the control point to permit the continuous monitoring of the emissions of the remotely controlled transmitter, and it shall be continuously monitored when in operation.

(5) Means shall be provided at the remote control point immediately to suspend the radiation of the transmitter when there is any deviation from the terms of the station license or from the Amateur Radio Service rules.

(6) In the event that operation of an amateur transmitter from a remote control point by radio is desired, an application for a modified station license on FCC Form 610 should be submitted with a letter requesting authority to operate in such a manner stating that the controlling transmitter at the remote control location will operate within amateur frequency bands 220 megacycles or higher and that there will be full compliance with subparagraphs (1) through (5) of this paragraph. Supplemental statements and diagrams should accompany the application and show how radio remote control will be accomplished and what means will be employed to prevent unauthorized operation of the transmitter by signals other than those from the controlling unit. There should be included complete data on control channels, relays and functions of each, directional antenna design for the transmitter and receiver in the control circuit and means employed for turning the main transmitter on and off from the remote control location.

(c) An amateur transmitter may be operated from a remote control point in lieu of the remote transmitter location without special authorization by the Commission when there is direct mechanical control or direct electrical control by wired connections of the transmitter from a point located in the same or closely adjoining building or structure provided there is full compliance with the conditions set forth in paragraphs (b) (1) through (5) of this section.

§ 97.45 Limitations on antenna structures.

(a) No new antenna structure shall be erected for use by any station in the Amateur Radio Service, and no change shall be made in any existing antenna structure used or intended to be used by any station in the Amateur Radio Service so as to increase its overall height above ground level, without prior approval by the Commission, in any case when either (1) the antenna structure proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on an existing man-made structure other than an antenna structure and does not increase the overall height of such man-made structure by more than 20 feet, or (2) the antenna structure proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except where the height of the antenna does not exceed 20 feet above the ground or if the antenna is mounted on an existing man-made structure other than an antenna structure or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet as a result of such mounting.

(b) Further details as to whether an aeronautical study and/or obstruction marking may be required, and specifications for obstruction marking when required, may be obtained from Part 17 of this chapter, "Construction, Marking and Lighting of Antenna Structures." Information regarding requirements as to inspection of obstruction marking, recording of information regarding such inspection, and maintenance of

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